

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF

DECEMBER 4, 1998

(Published December 12, 1998,
in Finance and Commerce)

Council Chamber

Minneapolis, Minnesota

December 4, 1998 – 9:30 a.m.

President Cherryhomes in the Chair.

Present – Council Members Mead, Minn,
McDonald, Johnson, Ostrow, Thurber, Biernat,
Niland, Goodman, President Cherryhomes.

Absent – Herron, Campbell, Colvin Roy.

Niland moved acceptance of the minutes of
the regular meeting of November 13 and the
adjourned session held November 17, 1998.
Seconded.

Adopted upon a voice vote.

Campbell moved referral of petitions and
communications and reports of the City officers
to proper Council committees and departments.
Seconded.

Adopted upon a voice vote.

PETITIONS AND COMMUNICATIONS

COMMUNITY DEVELOPMENT:

COUNCIL MEMBER NILAND (264320)

Central Neighborhood Improvement
Association: Report on vacant/boarded
properties.

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (264321)

Lot Division & Land Sales: 2714-14th Ave
S; 1913-10th Ave S.

Seed Daycare (1300 Olson Memorial
Hwy): Final approval to issue up to \$5,100,000
of Tax-exempt Development Revenue Bonds to
expand & rehab educational facility.

Jordan Neighborhood Revitalization
Program Action Plan: Reallocation of Year 24
CDBG vacant housing recycling program funds
to Jordan NRP to assist with housing
component.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (264322)

Cedar Riverside Redevelopment Project:
Appropriation increase to cover Phase 1 Dania
Hall.

Upper Harbor River Terminal: Operating
Budget for 1999.

NEIGHBORHOOD REVITALIZATION
PROGRAM (NRP) (264323)

Cedar-Riverside Neighborhood
Revitalization Program: Early access request
for funding to support renovation & restoration
of Dania Hall.

INTERGOVERNMENTAL RELATIONS:

LIAISON/FEDERAL, LOCAL AND STATE
(264324)

Legislature: House Committees & Chairs
for 1999-2000 session.

INTERGOVERNMENTAL RELATIONS

(See Rep):

LIAISON/FEDERAL, LOCAL AND STATE
(264325)

Transit Zone Tax: Grant local approval to
Minn Laws 1998, Chap 389.

PUBLIC SAFETY AND REGULATORY

SERVICES (See Rep):

HEALTH AND FAMILY SUPPORT
SERVICES (264326)

Child Health Assessment and Monitoring
Project: Issue Request for Proposals seeking
vendor to administer Project.

Commissioner of Health Position: Execute Agreement with Wood, Franchot Inc for executive search services; and Waive RFP process; w/attachment.

Consulting Services: Execute Amendment #1 to Contract with Mary Hourigan for research and policy development services.

Physician Services: Execute Amendment #2 to Contract with Hennepin Faculty Associates for services for six school based clinic sites, and medical direction for school based clinic program for 1/1/98 through 12/31/99.

Health Care Services: Execute Contract with Neighborhood Health Care Network for 489-CARE line, ImmuLink activities, interpreter services, and subsidies for low income and uninsured families to receive primary health care in Network member community clinics for calendar year 1999.

HEALTH AND FAMILY SUPPORT SERVICES (264327)

Public Health Nursing Services: Execute Agreement with Metropolitan Visiting Nurse Association for home visits for low income, uninsured and high risk women, children and families for calendar year 1999.

Way To Grow Program: Execute Agreement with Youth Coordinating Board to provide funding for calendar year 1999.

INSPECTIONS DEPARTMENT (264328)

Housing Board of Appeals: Approve appointments for terms expiring 12/31/2000.

Truth in Housing Board of Appeals: Approve appointments for terms expiring 12/31/2000; w/attachment.

Raze Buildings: 3537 S 3rd Av; 1928 Portland Av S.

LICENSES AND CONSUMER SERVICES (264329)

License Fees: Ordinance amending Titles 10, 13 and 14 of Code increasing various fees that were incorrect or omitted from general fee increase ordinance passed 5/22/98.

Licenses: Applications.

MAYOR (264330)

Drug and Alcohol Advisory Committee: Approve appointments for terms ending 6/30/99.

OFF-LEASH DOG EXERCISE AREA CITIZEN ADVISORY CMTE (264331)

Off-Leash Dog Recreation Area Program: Findings and recommendations

PUBLIC SAFETY AND REGULATORY SERVICES and WAYS & MEANS/ BUDGET (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (264332)

Immunization Action Plan: Appropriate unspent 1996 and 1997 grant funds to Health Department's 1998 budget.

HEALTH AND FAMILY SUPPORT SERVICES (264333)

Senior Task Force: Report recommending that a Senior Coordinating Board be established. *(See W&M/Budget Rep)

POLICE DEPARTMENT (264334)

Employee Assistance Program: Execute Amendment #2 to Contract with Rebehn & Associates for counseling services for calendar year 1999.

Local Law Enforcement Block Grant: Accept 1998 grant for law enforcement and crime prevention purposes to be expended over two-year period; and Appropriate funds to Police Department.

Comprehensive Stress Management Program: Accept donation of \$1,400 to offset registration fees of participants; and Appropriate funds to Police Department.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

HENNEPIN COUNTY ENVIRONMENTAL MANAGEMENT DIVISION (264335)

Annual report to the City; Hennepin County Solid Waste Management Master Plan.

PUBLIC WORKS AND ENGINEERING (264336)

Grass Lake Stormwater Filter: Agreement with Metropolitan Council for receipt of Twin Cities Water Quality Initiative Grant for filter project.

60th St & 1st Av S Flood Basin Project: Cooperative agreement with Minnehaha Creek Watershed District detailing responsibilities for project.

Digital Orthophotography: Extend contract with MARTINEZ Corporation to continue creation of photos for GIS Division; Permanent Review Committee waiver of RFP policy.

Midtown Greenway Trail Project: Transfer of funding to Minnesota Department of Transportation for Phase I construction; Recommend selection of Veit Companies as construction contractor.

**PUBLIC WORKS AND ENGINEERING
(264337)**

Hennepin-Lake Special Service District:
Ordinance amendment changing name of
district to, "Uptown".

Installation of Power Conduit: Agreement
with NSP providing for City installation of
power conduit during construction of 1st St S
bridge.

Petition for Bicycle Rack: Request of
Robert Sorenson, 2829 Hennepin Av.

Railroad Crossing Improvements:
Agreements with Soo Line Railroad and
Minnesota Department of Transportation to
utilize Railroad Crossing Safety Program funds
for improvements at E 32nd St, E 35th St, E
39th St and E 42nd St between Hiawatha and
Minnehaha Avenue.

Shingle Creek Stormwater Pond Project:
Authorize Zoning Administrator to grant a
Certificate of No Loss of wetland for proposed
wetland alterations.

Computer Services: Agreement with
Bentley Systems for services for Microstation
software.

**PUBLIC WORKS AND ENGINEERING
(264338)**

Work Force Utilization: Update.

WATER DEPARTMENT (264339)

Radio Use for Meter Reading: Agreements
with other cities or utilities for joint use of radio
channel to service meters which cannot be
reached through telephone-based system.

**TRANSPORTATION AND PUBLIC WORKS
and WAYS & MEANS/BUDGET
(See Rep):**

**PUBLIC WORKS AND ENGINEERING
(264340)**

Midtown Greenway Trail Project: Joint
powers agreement with Minnesota Department
of Transportation re Personal and Physical
Safety Technology Equipment Project.

PURCHASING (264341)

Bids: a) OP #4989, low bid of Universal
Applicators, Inc. for removal of existing liner
system and installation of new hypalon lining
system for the Water Department; b) OP
#5013, only bid of Zahl Equipment Company
for fuel tanks, pumps and concrete slab for
Water Department; c) OP #4973, low bid of
NewMech Companies, Inc. for construction of
Pump Station No. 9 for Water Department;

d) OP #4981, low bid of HBM Services, Inc. for
window cleaning at General Service buildings.

WATER DEPARTMENT (264342)

Pump Station No. 9: Review of project and
request for additional funding.

Automated Dispatching System:

Agreement with Vertical Services for software
to automate process for responding to requests
for location of utilities.

WAYS AND MEANS BUDGET:

**COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (264343)**

Humboldt Greenway Redevelopment Plan:
Ways & Means/Budget Committee Comments
submitted to Community Development
Committee.

PURCHASING (264344)

Staff Purchasing Reports: Receive and
File.

WAYS AND MEANS BUDGET (See Rep):

ARTS COMMISSION (264345)

Donation: Accept private grant for East
Calhoun Community Organization Neighbor-
hood Gateway Project.

Columbia Park Gateway Project: Contract
with Jeffrey Kalstrom.

ATTORNEY (264346)

Settlement: Authorize payment to TIG
Insurance Company.

CONVENTION CENTER (264347)

Convention Center Expansion Project:
Proceed with Owner-Controlled Insurance
Program.

Convention Center Expansion Project:
Contract with Dale Dobson.

COORDINATOR (264348)

Police and Fire Relief Association Boards:
Approve 4 reappointments.

1998-1999 Central Neighborhood Weed &
Seed: Accept grant & execute agreements

FINANCE DEPARTMENT (264349)

Utility Billing Insert: Approve message
relating to shoveling sidewalks.

Bill Payment Processing/Lockbox Services:
Authorize issue Request for Proposals.

**HEALTH AND FAMILY SUPPORT
SERVICES (264350)**

Senior Coordinating Board: Approve
support for establishment of board early in
1999.

HUMAN RESOURCES (264351)

Transit Works Program: Offer discount bus passes and tax-free payroll deductions.

Labor Agreement Settlement: Salary Ordinance for Teamsters Local #320, Convention Center Unit.

Labor Agreement Settlement: Salary Ordinance for Teamsters Local #320, Drivers Unit.

Labor Agreement Settlement: Salary Ordinance for Teamsters Local #320, Truck Drivers Unit and City Laborers Local #363, for weekend & night shift differentials.

ZONING AND PLANNING:

PLANNING COMMISSION/DEPARTMENT (264352)

Castle Roofing & Siding Co (3639 Nicollet Av S & 6 & 10 37th Av S): Planning Dept: Appeal of Dennis Wager from decision of Planning Commission denying expansion of nonconforming use certificate, w/attached staff report, findings & recommendation, maps, minutes, correspondence from Kingfield Neighborhood Association. Council Member Herron: Request to postpone hearing; Form letters from Julie A Johnson & 23 others supporting nonconforming use; Letter from Kingfield Neighborhood Association opposing.

ZONING AND PLANNING (See Rep):

CITY CLERK/SPECIAL PERMITS (264353)

Chicago Av, 2525 (Designer Sign Systems) sign.

INSPECTIONS/BOARD OF ADJUSTMENT (264354)

James M Curran (5329 York Av S): Board of Adjustment: Appeal decision of Bd of Adjustment denying setback variance to allow screened front porch, w/attached minutes, staff report, photos, drawings. James & Diane Curran: Rationale for appeal.

PLANNING COMMISSION/DEPARTMENT (264355)

American Indian Services: Planning Dept: Appeal of Phillips Neighborhood District 1 from decision of Planning Commission granting a conditional use permit to AIS to operate a 32-bed community residential facility at 2200 Park Av S, w/attached Planning Commission minutes, staff report with findings, maps, correspondence from Phillips Neighborhood,

petition opposing CUP, AIS chronology of events. Council Member Niland: correspondence from AIS, Phillips Neighborhood, Archdiocese of St Paul & Mpls, concerns of Phillips District 1, proposed contract between AIS & District 1.

Master Engineering: Planning Dept: Appeal of Master from Planning Commission decision denying Conditional Use Permit & variance to allow commercial surface parking lot in area bounded by W River Rd, 2nd St S & 8th & 10th Avs S, w/attached staff report, Planning Commission minutes, maps, drawings. Council Member McDonald: Letter from Master offering to waive rights to resolve conditional use permit appeal in exchange for a one year interim use permit; Additional conditions for interim use permit.

PLANNING COMMISSION/DEPARTMENT (264356)

Interim Ordinance (Industry on River): Planning Dept: Recommend amend Title 21 of Mpls Code of Ordinances, by adding new Chap 591 relating to Interim Ordinances: Moratorium on establishment or expansion of any use or development in the M1, M2 or M3 Zoning Districts on the upper Mississippi River front. American Iron & Supply Co: Opposing. United Electrical, Radio & Machine Workers of America, Amalgamated Local 1139: Opposing. Al Garcia, atty for Marchant Investment & Management Co: Letter from Council Member Biernat to Marchant; Letter from Sheridan Today & Yesterday.

PLANNING COMMISSION/DEPARTMENT (264357)

Sears Roebuck & Co: Application to vacate 2 alleys in site bounded by Chicago Av, E 28th St, 11th Av S & E Lake St, w/attached findings, maps, drawings, staff recommendation; Action of Planning Commission.

CSM INVESTORS INC (264358)

Permission to vacate public right-of-way in vicinity of 1700 Elm Street.

FRANCE PARTNERS LLC (264359)

Permission to vacate 50 square foot corner located at the NE corner of 50th & France Av S.

NORTH CENTRAL UNIVERSITY (264360)

Permission to vacate alley in block bounded by Elliot & Chicago Avenues, 9th & 14th Streets South.

MOTIONS (See Rep):

ATTORNEY (264361)

Workers' Compensation: Payments to City employees.

CITY CLERK/SPECIAL PERMITS

(264362.1)

9th St N, 29 (Gregory A Finstad) Operate interim parking lot until construction of new terminal begins.

PLANNING COMMISSION/DEPARTMENT

(264362)

Data sharing: Authorize enter into agrmt with Hennepin County for property-related data.

FILED:

CITY CLERK/SPECIAL PERMITS

(264363)

2nd Av S, 1301 (General Sports Shows) animals; Broadway NE, 2811 (Leroy Signs) sign; Lake St E, 3021 (Attracta Sign) sign; Nicollet Mall from 12th to 4th (Johmar Farms) horses & donkeys; Washington Av SE, 925 (Leroy Signs Inc) sign; Washington Av parking lots (Premiere Marketing & Events) sell Vikings merchandise.

NORTHERN STATES POWER (NSP)

(264364)

Utilities: Authorize place poles at various locations.

ARNOLD, ADONE (264365)

Letter requesting stop signs at corner of Vincent Avenue South and West 59th Street.

**REPORTS OF
STANDING COMMITTEES**

The COMMUNITY DEVELOPMENT

Committee submitted the following reports:

Comm Dev – Your Committee, having under consideration the division of the lot at 2714 – 14th Ave S, and having conducted a public hearing thereon, now recommends passage of the accompanying resolution approving the division, waiving the requirement of a subdivision plat and directing that a copy of the resolution be attached to the deeds conveying the subdivided parcels (Petn No 264321).

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-449

By Niland

**Approving the subdivision of a lot at
2714 – 14th Avenue South.**

Whereas, the Minneapolis Community Development Agency (MCDA) has requested that a parcel of land located at 2714 – 14th Avenue South and legally described as Lot 6, Slafter's Rearrangement of Block 4, Wrights Addition to Minneapolis be subdivided as follows:

Parcel A: The South one-half of Lot 6, Slafter's Rearrangement of Block 4, Wrights Addition to Minneapolis;

Parcel B: All of Lot 6 except the South one-half thereof, Slafter's Rearrangement of Block 4, Wrights Addition to Minneapolis; and

Whereas, the MCDA intends to convey the subdivided parcels listed above to the owners of the adjacent properties with the following parcels:

Parcel A (2716 – 14th Avenue South): Lot 7, Slafter's Rearrangement of Block 4, Wrights Addition to Minneapolis;

Parcel B (2712 – 14th Avenue South): Lot 5, Slafter's Rearrangement of Block 4, Wrights Addition to Minneapolis; and

Whereas, the proposed subdivision conforms with Minnesota Statutes Section 462.358 and Land Subdivision Regulations adopted by the Minneapolis City Council on July 14, 1995; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on November 5, 1998, a public hearing on said subdivision and proposed sale was duly held in a joint meeting of the Community Development Committee of the City Council and the Operating Committee of the MCDA at 5:00 p.m., November 16, 1998, in Room 319, Minneapolis City Hall, 350 South 5th Street, in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the division of the above-described property be approved and the requirement of a subdivision plat be waived.

Be It Further Resolved that a certified copy of this resolution shall be attached to the deeds conveying the subdivided parcels.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

J. Cherryhomes, President of Council.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev – Your Committee, having under consideration the division of the lot at 1913 – 10th Ave S, and having conducted a public hearing thereon, now recommends passage of the accompanying resolution approving the division, waiving the requirement of a subdivision plat and directing that a copy of the resolution be attached to the deeds conveying the subdivided parcels (Petn No 264321).

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-450

By Niland

Approving the subdivision of a lot at 1913-10th Avenue South.

Whereas, the Minneapolis Community Development Agency (MCDA) has requested that a parcel of land located at 1913-10th Avenue South and legally described as the South 30 feet of Lot 3 and North 5 feet of Lot 4, Block 4, J. S. & W. Elliot's Addition to Minneapolis be subdivided as follows:

Parcel A: The South 17.5 feet of Lot 3, Block 4, J. S. & W. Elliot's Addition to Minneapolis;

Parcel B: All of Lot 3 except the South 17.5 feet thereof and the North 5 feet of Lot 4, Block 4, J. S. & W. Elliot's Addition to Minneapolis; and

Whereas, the MCDA intends to convey the subdivided parcels listed above to the owners of adjacent properties with the following parcels:

Parcel A (1911-10th Avenue South): The South 15 feet of Lot 2 and the North 20 feet of Lot 3, Block 4, J. S. & W. Elliot's Addition to Minneapolis;

Parcel B (1915-10th Avenue South): The South 35 feet of the North 40 feet of Lot 4, Block 4, J. S. & W. Elliot's Addition to Minneapolis; and

Whereas, the proposed subdivision conforms with Minnesota Statutes Section 462.358 and Land Subdivision Regulations adopted by the Minneapolis City Council on July 14, 1995; and

Whereas, pursuant to due notice thereof published in Finance and Commerce on November 5, 1998, a public hearing on said subdivision and proposed sale was duly held in a joint meeting of the Community Development Committee of the City Council and the Operating Committee of the MCDA at 5:00 p.m., November 16, 1998, in Room 319, Minneapolis City Hall, 350 South 5th Street, in the City of Minneapolis, County of Hennepin, State of Minnesota;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the division of the above-described property be approved and the requirement of a subdivision plat be waived.

Be It Further Resolved that a certified copy of this resolution shall be attached to the deeds conveying the subdivided parcels.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

J. Cherryhomes, President of Council.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev – Your Committee, having under consideration the matter of issuing revenue bonds to finance the rehabilitation of an existing educational facility with construction of an additional 31,000 square feet to encompass ten classrooms, gymnasium and auditorium for the Seed Daycare facility at 1300 Olson Memorial Highway, and the Council having granted preliminary approval to issue such bonds on August 28, 1998, now recommends passage of the accompanying

resolution granting final approval to issue up to \$5,100,000 in Tax-exempt Development Revenue Bonds, Series 1998, for The Seed Daycare through the City of Minneapolis (Petn No 264321).

Your Committee further recommends summary publication of the above-described resolution.

Niland move to amend the resolution by adding a new Section 8 to read as follows:

"Section 8. Governmental Program.

8.01. The Bonds are hereby designated "Program Bonds" and are determined to be within the "Economic Development Program" and the "Program," all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 97R-402 of the City adopted December 12, 1997." Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 7, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published December 9, 1998)

Resolution 98R-451, authorizing the issuance of the City of Minneapolis, Minnesota Revenue Bonds (Seed Academy Harvest Preparatory School Project, 1300 Olson Memorial Hwy), Series 1998, pursuant to Minnesota Statutes, Chapter 469, was passed December 4, 1998 by the City Council and approved December 7, 1998 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 98R-451

By Niland

Authorizing the issuance of the City of Minneapolis, Minnesota Revenue Bonds (Seed Academy Harvest Preparatory School Project), Series 1998, pursuant to Minnesota Statutes, Chapter 469.

Resolved by The City Council of The City of Minneapolis:

Section 1. Definitions.

1.01. In this Resolution the following terms have the following respective meanings unless the context hereof or use herein clearly requires otherwise:

"Act" means Minnesota Statutes, Chapter 469, as amended;

"Agreement" means the Loan Agreement or Loan Agreements to be entered into among the City of Minneapolis, Minnesota (the "City") and the Borrower relating to the Bonds;

"Bonds" means the Revenue Bonds (Seed Academy Harvest Preparatory School Project), Series 1998 issued by the City pursuant to this Resolution, in a principal amount of not to exceed \$5,000,000;

"Bond Documents" means the Agreement, the Bond Purchase Agreement, the Remarketing Agreement and the Indenture;

"Bond Purchase Agreement" means the Bond Purchase Agreement with respect to the Bonds, by and between the City, the Borrower and Piper Jaffray Inc.;

"Borrower" means Seed Daycare, a Minnesota nonprofit corporation, its successors and assigns;

"Holder" means a holder of the Bonds;

"Indenture" means the Trust Indenture or Trust Indentures to be entered into among the City and the Trustee relating to the Bonds;

"Project" means the facility to be financed with the proceeds of the Bonds, as further defined in the Agreement;

"Remarketing Agreement" means the Remarketing Agreement with respect to the Bonds, by and between the City, the Borrower and Piper Jaffray Inc.

"Resolution" means this resolution of the City; and

"Trustee" means U.S. Bank Trust National Association.

Section 2. Findings.

2.01. It is hereby found and declared that:

(a) based upon representations made to the City by representatives of the Borrower as to the nature of the Project as described in the Agreement, the Project constitutes a project authorized by the Act;

(b) the purpose of the Project is and the effect thereof is to promote the provision of necessary educational facilities;

(c) the financing of the Project, the issuance and sale of the Bonds, the execution

and delivery of the Bond Documents and the performance of all covenants and agreements of the City contained in the Bonds and the Bond Documents and of all other acts and things required under the charter of the City and the Constitution and laws of the State of Minnesota to make the Bonds and the Bond Documents valid and binding obligations of the City in accordance with their terms are authorized by the Act;

(d) it is desirable that the Bonds be issued by the City upon the terms set forth herein and that the City pledge its interest in the Agreement and grant a security interest therein to the Trustee as security for the payment of the principal of, premium, if any, and interest on the Bonds;

(e) the loan payments contained in the Agreement are fixed and are required to be revised from time to time as necessary, so as to produce income and revenue sufficient to provide for prompt payment of the principal of, premium, if any, and interest on the Bonds when due, and the Agreement also provides that the Borrower is required to pay all expenses of the operation and maintenance of the Project, including, but not limited to, adequate insurance thereon and all taxes and special assessments levied upon or with respect to the Project and payable during the term of the Agreement;

(f) under the provisions of Minnesota Statutes, Section 469.162, the Bonds are not to be payable from nor charged upon any funds of the City other than the revenue pledged to the payment thereof; the City is not subject to any liability thereon; no Holder of the Bonds shall ever have the right to compel any exercise of the taxing power of the City to pay the Bonds or the interest thereon nor to enforce payment thereof against any property of the City; the Bonds, premium, if any, and interest thereon shall not constitute an indebtedness of the City within the meaning of any constitutional, charter or statutory limitation and shall not constitute or give rise to a pecuniary liability of the City or a charge against its general credit or taxing powers and shall not constitute a charge, lien or encumbrance, legal or equitable, upon any property of the City other than its interest in the Project;

(g) the execution and delivery of the Bonds and the Bond Documents shall not conflict with or constitute, on the part of the City, a breach of

or a default under any existing agreement, indenture, mortgage, lease or other instrument to which the City is subject or is a party or by which it is bound; provided that this finding is made solely for the purpose of estopping the City from denying the validity of the Bonds or the Bond Documents by reason of the existence of any facts contrary to this finding;

(h) no litigation is pending or, to the best knowledge of the members of this City Council, threatened against the City questioning the organization of the City or the right of any officer of the City to hold his or her office or in any manner questioning the right and power of the City to execute and deliver the Bonds or otherwise questioning the validity of the Bonds or the execution, delivery or validity of the Bond Documents or questioning the pledge of revenues to payment of the Bonds or the right of the City to loan the proceeds of the Bonds to the Borrower;

(i) all acts and things required under the Constitution and the laws of the State of Minnesota to make the Bonds and the Bond Documents the valid and binding obligations of the City in accordance with their terms shall have been done upon adoption of this Resolution and execution of the Bonds and Bond Documents; provided that this finding is made solely for the purpose of estopping the City from denying the validity of the Bonds or the Bond Documents by reason of the existence of any facts contrary to this finding; and

(j) the City is duly organized and existing under the Constitution and the laws of the State of Minnesota and is authorized to issue the Bonds in accordance with the Act.

Section 3. Authorization and Sale.

3.01. Authorization. The City is authorized by the Act to issue revenue bonds and loan the proceeds thereof to business enterprises to finance the acquisition, construction and installation of facilities constituting a "project," as defined in the Act, and to make all contracts, execute all instruments and do all things necessary or convenient in the exercise of such authority.

3.02. Approval of Documents. Pursuant to the foregoing, there have been prepared and presented to the City Council copies of the following documents, all of which are now or shall be placed on file in the office of the MCDA:

- (a) the Agreement;
- (b) the Bond Purchase Agreement;
- (c) the Remarketing Agreement; and
- (d) the Indenture.

The forms of the documents listed in (a) through (d) above are approved, with such variations, insertions and additions as are deemed appropriate by the parties and approved by the City.

Section 4. Authorizations.

4.01. Upon the completion of the Bond Documents approved in Section 3.02 hereof and the execution thereof by the other parties thereto, the Mayor and the Finance Officer shall execute the same on behalf of the City and the foregoing persons shall execute the Bonds, in substantially the form approved in paragraph 5.01 hereof, on behalf of the City, and the foregoing persons and other officers of the City shall execute such other certifications, documents or instruments as bond counsel shall require, subject to the approval of the City, and all certifications, recitals and representations therein shall constitute the certificates, recitals and representations of the City. Execution of any instrument or document by one or more appropriate officers of the City shall constitute and shall be deemed the conclusive evidence of the approval and authorization by the City and the City Council of the instrument or document so executed.

Section 5. The Bonds.

5.01. Form and Authorized Amount. The Bonds shall be issued substantially in the form described in the Indenture with such appropriate variations, omissions and insertions as are permitted or required by this Resolution. The offer of Piper Jaffray Inc. to purchase the Bonds as described in the Bond Purchase Agreement is accepted. The terms of the Bonds are set forth therein, and such terms, including, but not limited to, provisions as to interest rate, dates and amount of payment of principal and interest and prepayment privileges, are incorporated by reference herein. The initial interest rate on the variable rate Bonds shall not exceed an annual rate of 4.70%, and the average weighted interest rate on any fixed rate Bonds shall not exceed an annual rate of 6.00%.

5.02. Execution. The Bonds shall be executed on behalf of the City by the persons described in Section 4.01 hereof and shall be sealed with its corporate seal or a facsimile

thereof and the Certificate of Authentication signed by the Trustee. In case any officer whose signature shall appear on any Bond shall cease to be such officer before the delivery thereof, such signature shall, nevertheless, be valid and sufficient for all purposes.

5.03. Delivery and Use of Proceeds. Prior to delivery of the Bonds, the documents referred to in Section 3.02 hereof shall be completed and executed in form and substance as approved by the City. The City shall thereupon deliver to the Trustee the Bonds together with a certified copy of this Resolution and such closing certificates as are required by bond counsel.

Section 6. Limitations of the City's Obligations.

6.01. Notwithstanding anything contained in the Bonds or the Bond Documents, the Bonds, premium, if any, and interest thereon shall not constitute an indebtedness of the City within the meaning of any constitutional, charter or statutory limitation and shall not constitute or give rise to a pecuniary liability of the City or a charge against its general credit or taxing powers and shall not constitute a charge, lien, or encumbrance, legal or equitable, upon any property of the City other than its interest in the Project, and no Holder of the Bonds shall ever have the right to compel any exercise of the taxing power of the City to pay the Bonds or the interest thereon or to enforce payment thereof against any property of the City other than its interest in the Project. The agreement of the City to perform the covenants and other provisions contained in this Resolution, the Bonds or the Bond Documents shall be subject at all times to the availability of revenues furnished by the Borrower sufficient to pay all costs of such performance or the enforcement thereof, and neither the City nor any of its officers, employees or agents shall be subject to any personal or pecuniary liability thereon.

Section 7. City Representative.

7.01. The Finance Officer of the City is hereby designated and authorized to act on behalf of the City as its Authorized Representative (as defined in the Agreement).

Section 8. Governmental Program.

8.01. The Bonds are hereby designated "Program Bonds" and are determined to be within the "Economic Development Program"

and the "Program," all as defined in Resolution 88R-021 of the City adopted January 29, 1988, and as amended by Resolution 97R-402 of the City adopted December 12, 1997.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

J. Cherryhomes, President of Council.

Approved December 7, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev – Your Committee, having under consideration the Minneapolis Community Development Agency's (MCDA) funding commitment for implementation of the remaining housing components of the Jordan Neighborhood Revitalization Program (NRP) Action Plan, now recommends reallocation of \$200,000 of Year 24 Community Development Block Grant Vacant Housing Recycling Program Funds (2208) to the Jordan NRP (2228). The manner in which the MCDA will provide matching funds through year 2000 is set forth in the Memorandum of Understanding between the Jordan Area Community Council and the MCDA, as set forth in Petn No 264321.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **COMMUNITY DEVELOPMENT** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

Comm Dev & W&M/Budget – Your Committee, having under consideration the Cedar Riverside Redevelopment Project, now recommends passage of the accompanying resolution amending the 1998 Minneapolis Community Development Agency (MCDA) appropriation in Fund CBJ (Cedar Riverside) by \$37,000 and increasing the appropriation in Fund CAD (Tax Increment Administration) by \$1,110 to provide funding for Dania Hall Development which includes survey of Dania Hall property and adjacent properties, consultant fee to redesign and prepare budget for parking lot improvements on Block 28, Phase 1 environmental site assessment, legal fees relating to Riverside Plaza easements,

and Interim Property Management services, as set forth in Petn No 264322.

Your Committee further recommends that this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency (MCDA).

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-452 **By Niland and Campbell**

Amending The 1998 Minneapolis **Community Development Agency** **Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended as follows:

a) Increasing the appropriation in Fund CBJ – Cedar Riverside by \$37,000 from available fund balance; and

b) Increasing the appropriation in Fund CAD – Tax Increment Administration by \$1,110 from available fund balance.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

J. Cherryhomes, President of Council.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the City's Operating Agreement with River Services, Inc. which requires submission of an annual budget identifying anticipated expenditures for operation of the Upper Harbor Terminal, now recommends approval of the Upper Harbor Terminal "Annual Operating Budget" 1999 as set forth in Petn No 264322.

Adopted. Yeas, 9; Nays, 1 as follows:

Yeas – Mead, McDonald, Johnson, Thurber, Ostrow, Biernat, Niland, Goodman, Cherryhomes.

Nays – Minn.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.
Approved December 10, 1998. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the Cedar-Riverside Neighborhood's request for early access to NRP funds in the amount of \$1,550,000 to support the renovation and restoration of Dania Hall, 427 Cedar Ave, as set forth in Petn No 264323, now recommends:

1. That said early access request, and specifically those parts of the request which fall under City jurisdiction, be approved;
 2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR) by \$1,550,000;
 3. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in said request; and
 4. That this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.
- Adopted. Yeas, 10; Nays none.
Absent – Herron, Campbell, Colvin Roy.
Passed December 4, 1998.
Approved December 10, 1998. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

RESOLUTION 98R-453
By Niland and Campbell

**Amending The 1998 Minneapolis
Community Development Agency
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR-NRP Program by \$1,550,000.

Adopted. Yeas, 10; Nays none.
Absent – Herron, Campbell, Colvin Roy.
Passed December 4, 1998.
J. Cherryhomes, President of Council.
Approved December 10, 1998. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

The **INTERGOVERNMENTAL
RELATIONS** Committee submitted the following report:

IGR – Your Committee recommends passage of the accompanying resolution granting local approval to Laws of Minnesota 1998, Chapter 389, relating to Transit Zone Tax. (Petn No 264325)

Adopted. Yeas, 10; Nays none.
Absent – Herron, Campbell, Colvin Roy.
Passed December 4, 1998.
Approved December 10, 1998. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

RESOLUTION 98R-454
By Thurber

**Approving Laws of Minnesota 1998,
Chapter 389.**

Whereas, the Minnesota State Legislature has passed a law relating to Transit Zone Tax; and

Whereas, said law, by its terms, requires an affirmative vote of a majority of the members of the City Council before it may become effective;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That said law be now approved and the City Clerk be directed to prepare and file with the Secretary of State the required certification of approval.

Adopted. Yeas, 10; Nays none.
Absent – Herron, Campbell, Colvin Roy.
Passed December 4, 1998.

J. Cherryhomes, President of Council.
Approved December 10, 1998. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

The **INTERGOVERNMENTAL
RELATIONS, TRANSPORTATION & PUBLIC
WORKS** and **WAYS & MEANS/BUDGET**

Committees submitted the following report:

IGR, T&PW & W&M/Budget – Your Committee recommends passage of the accompanying resolution supporting improved transit service, redevelopment, and preserved quality of life in the neighborhoods along the Hiawatha Corridor and public involvement in the planning process.

Adopted. Yeas, 9; Nays none.
Absent – Herron, Campbell, Biernat, Colvin Roy.
Passed December 4, 1998.
Approved December 10, 1998. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

RESOLUTION 98R-455
By Mead, Niland, Johnson,
Colvin Roy, Minn, McDonald,
Campbell, Thurber, Ostrow,
Biernat, Goodman
and Cherryhomes

Supporting improved transit service, redevelopment, and preserved quality of life in the neighborhoods along the Hiawatha Corridor and public involvement in the planning process.

Whereas, the Hiawatha Corridor will connect major destinations such as Downtown Minneapolis, Minnehaha Park, the Veterans Administration Campus, the Minneapolis-St. Paul International Airport, and the Mall of America with a state of the art, multi-modal transportation system; and

Whereas, the Federal Transit Administration guidelines for light rail transit planning have identified the area within one-half mile of proposed light rail station sites along Hiawatha Avenue as an area of study for planning and development activities; and

Whereas, the City has identified growth targets for the communities that border the Hiawatha Corridor, measured in new jobs and new households;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the following goals be adopted to guide redevelopment in the Hiawatha Corridor:

a) Preserve the livability of all adjacent neighborhoods through careful planning for land use and station area development that includes active participation of neighborhood residents and businesses;

b) Strengthen neighborhoods by reinvestment in housing, multi-use facilities and renovation projects;

c) Attract new employment opportunities throughout the Corridor and provide excellent transportation connections for citizens to existing and new businesses;

d) Improve alternative transportation options within the City with changes to the existing bus service and the addition of light rail transit service; and

e) Promote the continued growth, accessibility and economic vitality of Downtown Minneapolis through light rail transit service in the Hiawatha Corridor.

Be It Further Resolved that staff be directed to develop station area plans that meet the above-described goals and also incorporate specific design principles that will be determined as one of the outcomes of conceptual planning for station areas.

Be It Further Resolved that staff be directed to seek public resources for planning and development activities necessary to accomplish the above-described goals.

Adopted. Yeas, 9; Nays none.

Absent – Herron, Campbell, Biernat, Colvin Roy.

Passed December 4, 1998.

J. Cherryhomes, President of Council.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** Committee submitted the following reports:

PS&RS – Your Committee, to whom was referred an ordinance amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to **Housing: Maintenance Code**, removing the reference to a repealed section of the Code, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 98-Or-142
By Biernat and McDonald

Intro & 1st Reading: 10/30/98
Ref to: PS&RS
2nd Reading: 12/4/98

Amending Title 12, Chapter 244 of the Minneapolis Code of Ordinances relating to Housing: Maintenance Code.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 244.2020 (a) (5) of the above-entitled ordinance be amended to read as follows:

244.2020. Conduct on licensed premises. (a) It shall be the responsibility of the licensee to take appropriate action, with the assistance of the community services bureau and other units of the Minneapolis Police Department, following conduct by tenants and/or their guests on the licensed premises which is determined to be disorderly, in violation of any of the following statutes or ordinances, to prevent further violations:

(5) Sections 389.65 (c) (1) and 389.65 (c) (2) of this Code, which prohibit noisy assemblies;

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

J. Cherryhomes, President of Council.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Republished January 26, 1999)

PS&RS – Your Committee, to whom was referred an ordinance amending Title 11, Chapter 225 of the Minneapolis Code of Ordinances relating to **Health and Sanitation: Garbage and Refuse**, removing the reference to repealed sections of the Code, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 98-Or-143
By Biernat and McDonald

Intro & 1st Reading: 10/30/98
Ref to: PS&RS
2nd Reading: 12/4/98

Amending Title 11, Chapter 225 of the Minneapolis Code of Ordinances relating to Health and Sanitation: Garbage and Refuse.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 225.390 of the above-entitled ordinance be amended to read as follows:

225.390. Manner and hours of collection.

All solid waste hauled or conveyed under this article shall be collected and conveyed so as not to constitute a nuisance and so as to be in full compliance with Chapter 389 and all other applicable provisions of this Code. No person shall cause or permit any vehicle hauling solid waste or any other waste or noxious material to stand or remain before or near any public building or before or near any residence, or upon any street, alley, lot or other public place, for any longer time than is actually required in the loading, conveying and unloading thereof.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

J. Cherryhomes, President of Council.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Republished January 26, 1999)

PS&RS – Your Committee, to whom was referred an ordinance amending Title 15, Chapter 389 of the Minneapolis Code of Ordinances relating to **Offenses--**

Miscellaneous: Noise, adding a reference section relating to Noisy assembly, and prohibiting the loading or unloading of a solid waste or recycling vehicle outside of an insulated building in any residentially used area, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted. Yeas, 10; Nays none.
Absent – Herron, Campbell, Colvin Roy.
Passed December 4, 1998.
Approved December 10, 1998. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

Passed December 4, 1998.
J. Cherryhomes, President of Council.
Approved December 10, 1998. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.
(Republished Janaury 26, 1999)

ORDINANCE 98-Or-144
By Biernat and McDonald

Intro & 1st Reading: 10/30/98
Ref to: PS&RS
2nd Reading: 12/4/98

**Amending Title 15, Chapter 389 of the
Minneapolis Code of Ordinances relating to
Offenses--Miscellaneous: Noise.**

The City Council of The City of Minneapolis
do ordain as follows:

Section 1. That the following definition in
Section 389.30 of the above-entitled ordinance
be amended to read as follows:

389.30. Definitions. The following terms
whenever used in this article shall have the
following respective meanings:

Noisy assembly: For the purposes of
sections 389.65 (c) (1) and 389.65 (c) (2), the
term “noisy assembly” shall mean a gathering
of more than one person in a residentially
zoned or used area or building between the
hours of 10:00 p.m. and 6:00 a.m. that would
be likely to cause significant discomfort or
annoyance to a reasonable person of normal
sensitivities present in the area considering the
time of day and the residential character of the
area.

Section 2. That Section 389.100 (a) (3) of
the above-entitled ordinance be amended to
read as follows:

389.100. Prohibited acts. (a) The
following acts are not allowed in the city and
the causing thereof are prohibited:

(3) No person shall load or unload a solid
waste compacting vehicle, solid waste
processing vehicle, solid waste collection
vehicle, or recycling collection vehicle outside
of an insulated building in any residentially
used area between the hours of 10:00 p.m. and
6:00 a.m.

Adopted. Yeas, 10; Nays none.
Absent – Herron, Campbell, Colvin Roy.

PS&RS – Your Committee, to whom was
referred an ordinance amending Title 11,
Chapter 214 of the Minneapolis Code of
Ordinances relating to **Health and Sanitation:**
Department of Health and Family Support,
allowing the Commissioner of Health to modify
the management structure of the department
and duties, position descriptions or titles of the
bureau directors, and allowing the
Commissioner or Health, or designee, to
perform the duties of a “Community Health
Services Administrator”, now recommends that
said ordinance be given its second reading for
amendment and passage.

Minn moved to amend the report by
deleting the language “and allowing the
Commissioner of Health, or designee, to
perform the duties of a Community Health
Services Administrator”. Seconded.

Adopted upon a voice vote.

Minn moved to amend the ordinance by
deleting Section 214.50 entitled **Community
health services administrator**. Seconded.

Adopted by unanimous consent.

The report, as amended, was adopted.

Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.
Passed December 4, 1998.

NOT APPROVED BY THE MAYOR.

Attest: M. Keefe, City Clerk.

ORDINANCE 98-Or-145
By Biernat

Intro & 1st Reading: 11/13/98
Ref to: PS&RS
2nd Reading: 12/4/98

**Amending Title 11, Chapter 214 of the
Minneapolis Code of Ordinances relating to
Health and Sanitation: Department of Health
and Family Support.**

The City Council of The City of Minneapolis
do ordain as follows:

Section 1. That the Minneapolis Code of Ordinances be amended by adding thereto a new Section 214.40 to read as follows:

214.40. Department organization. The commissioner of health may modify the management structure of the department, including modification of the duties, position descriptions or titles of any of the seven bureau directors authorized by Charter Chapter 8, Section 14 in order to more effectively carry out the duties assigned to the department by this title and the city council.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

J. Cherryhomes, President of Council.

NOT APPROVED BY THE MAYOR.

Attest: M. Keefe, City Clerk.

(Republished January 26, 1999)

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) ss.
CITY OF MINNEAPOLIS)

I, MERRY KEEFE, City Clerk of the City of Minneapolis, County of Hennepin, State of Minnesota, do hereby certify that a report of the Public Safety & Regulatory Services Committee as acted upon by the City Council of Minneapolis, Minnesota, and designated as "Not Approved by the Mayor", was duly presented to, and left with, the Mayor of said City on December 4, 1998, for her approval and signature as such Mayor; that Mayor Sayles Belton did not thereafter, within five days, Sundays excepted, approve or sign such action.

Therefore, in accordance with the provisions of Chapter 3, Section 1, of the City Charter, said action has become and is valid, and I hereby certify that it has the same force and effect as if approved by said Mayor.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City, this 11th day of December, 1998.

MERRY KEEFE,
City Clerk.

PS&RS – Your Committee recommends granting the following applications for liquor, wine and beer licenses:

Off-Sale Liquor, to expire January 1, 2000

Haskell's Inc, dba Haskell's, 81 S 9th St;

PLR Holding Corporation, dba Jug Liquor Store, 226 W Broadway;

2538 Central Corporation, dba Central Avenue Liquors, 2538 Central Av NE;

On-Sale Liquor Class A with Sunday Sales, to expire January 1, 2000

Ampa Inc, dba Y'all Come Back Saloon, 830 Hennepin Av;

Cozy Lounge Inc, dba Riverview Supper Club, 2319 W River Rd N;

On-Sale Liquor Class A with Sunday Sales, to expire April 1, 1999

Mpls Society of Fine Arts, 2400 3rd Av S;

On-Sale Liquor Class A with Sunday Sales, to expire October 1, 1999

Heaven & Earth Inc, dba Quest, 110 N 5th St – 1st floor;

On-Sale Liquor Class B with Sunday Sales, to expire January 1, 1999

Baz Inc, a MN Corp, dba Champps, 100 N 6th St (includes Class B Outdoor Entertainment);

Fleming Clarence G, dba Terminal Bar, 409 E Hennepin;

Dream Enterprises, Inc, dba Roadhouse, 1107-11 Washington Av S;

On-Sale Liquor Class C-1 with Sunday Sales, to expire January 1, 1999

Red Sea Inc, dba Red Sea Restaurant & Bar, 320 Cedar Av;

On-Sale Liquor Class E with Sunday Sales, to expire January 1, 2000

M & E Restaurant Corporation, dba Ping's Szechuan Bar & Grill, 1401 Nicollet Av;

On-Sale Liquor Class E with Sunday Sales, to expire October 1, 1999

Sport Italia Inc, dba Linguini & Bob, 100 N 6th St (downgrade from Class A with Sunday Sales);

Schooner Inc, dba Schooner, 2901 27th Av S – 1st floor (new manager);

Off-Sale Beer to expire April 1, 1999

Btoush Abraham A, dba Stars Superette, 3200 Bryant Av S (new business).

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends granting the following applications for business licenses as per list on file and of record in the

Office of the City Clerk under date of December 4, 1998, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 264329):

Amusement Devices; Bed & Breakfast Facility; Building Contractor Class A; Building Contractor Class B; Cement Finisher; Contractor/Masonry Class A; Christmas Tree; Dry Cleaner – Nonflammable; Dry-Wall Contractor; Place of Entertainment; Grocery; Food Manufacturer; Restaurant; Musical Juke Box; Lodging House; Motor Vehicle Repair Garage; Motor Vehicle Servicing Class B (Towing); Pet Shop; Plasterer; Plumber; Resin Manufacturer; Suntanning Facilities; Swimming Pools; Taxicab Vehicle; Theater Zone I; and Tree Servicing.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends granting the following applications for gambling licenses, subject to final inspection and compliance with all provisions of the applicable codes and ordinances:

Gambling Lawful Exempt

Down Syndrome Assoc of Minnesota, 10750 Old County Road 15, Plymouth (raffle June 13, 1999 at 4543 Upton Av S);

Families Supporting Adoption, PO Box 16262, Minneapolis (raffle May 27, 1999 at 2709 Drew Av S).

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends concurrence with the recommendation of the Mayor to appoint the following persons to serve on the Advisory Committee on Drug and Alcohol Problems for two-year terms to expire June 30, 1999:

a. Dan Cain, 5315 Goldenrod Ln, Plymouth;

b. Kimberly M Muellner, 17529 Queensberry St, Forest Lake;

c. Rita V Pelecis, 3911 Upton Av S, Ward 13;

d. Jaime L Martinez, 525 Portland Av S, Ward 7;

e. Howard Epstein, 3524 Longfellow Av S, Ward 9.

Your Committee further recommends approval to waive the residency requirement for Dan Cain and Kimberly Muellner, in accordance with Section 14.180 (m) (3) of the Code of Ordinances which allows appointment of individuals providing a “unique and special benefit” to the City.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends approval of the following City Council appointments/reappointments to the Housing Board of Appeals for two-year terms to expire December 31, 2000:

Appointments:

a. Barry Alexander, Fire Department designee;

b. Carl Samaroo, Health Department designee;

c. Beth Cassandra Hart, 2467 Elliot Av S, Ward 8;

d. Jim Strong, Acting Supervisor of Housing, ex-officio;

Reappointments:

e. Connie Fournier, Director of Inspections designee;

f. Lauren K Maker, 4059 Sheridan Av N, Ward 4;

g. Sandy Loescher, 2809 Fremont Av S, Ward 10;

h. David Jordheim, 3714 Colfax Av S, Ward 10;

i. Anthony Yurkew, 5035 Sheridan Av N, Ward 4;

j. Matthew Knopp, 500 W 32nd St, Ward 10;

k. Tom Manion, 5215 Irving Av S, Ward 13;

l. Steven Leventhal, 2409 Colfax Av S, Ward 10;

m. Greg Halbert, Assistant City Attorney, ex-officio;

n. Jay Iacarella, MCDA designee, ex-officio;

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends that the proper City Officers be authorized to issue a Request for Proposals, jointly with Hennepin County, seeking a vendor to administer the Child Health Assessment Monitoring Project (CHAMP), which will assess the health status of Minneapolis and suburban Hennepin County children between the ages of 6 and 24 months. The City and County will contract with the vendor separately, who will pilot the surveys and conduct and complete survey data. (Petr No 264326)

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 7, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published December 9, 1998)

PS&RS – Your Committee recommends that the proper City Officers be authorized to execute an agreement with Wood, Franchot Inc, in the amount of \$36,000, to conduct the executive search process for the position of Commissioner of Health. Said agreement shall be for the period November 2, 1998 through December 31, 1999, payable from the Health Department (060-440-4413). (Petr No 264326)

Your Committee further recommends concurrence with the recommendation of the Permanent Review Committee that said agreement be entered into notwithstanding the City's requirement for a Request for Proposals process.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 7, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published December 9, 1998)

PS&RS – Your Committee recommends that the proper City Officers be authorized to

execute Amendment #1 to Agreement #13093 with Mary Hourigan, increasing the amount by \$25,000 for a new total contract not to exceed \$49,990, for continued consulting services in the areas of research and policy development on key issues in the Department of Health & Family Support, payable from the Health Department (060-440-4423), contingent upon approval of funding in the 1999 budget.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends that the proper City Officers be authorized to execute Amendment #2 to Agreement #11972 with Hennepin Faculty Associates, increasing the amount by \$56,000 for a new total contract not to exceed \$170,000 for physician services for six school based clinic sites in Minneapolis, and medical direction for the school based clinic program. Said contract shall be for the period January 1, 1998 through December 31, 1999, payable from the Health Department (060-440-4422), contingent upon approval of funding in the 1999 budget.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends that the proper City Officers be authorized to execute a contract with the Neighborhood Health Care Network, in the amount of \$755,152, to provide health care services to Minneapolis residents, including the 489-CARE line, ImmuLink activities, interpreter services, and subsidies for low income and uninsured families to receive primary health care in Network member community clinics in Minneapolis. Said contract shall be for the period January 1 through December 31, 1999, payable from the Health Department, with \$89,262 from (010-440-4413), \$447,750 from (040-440-4413), and \$218,140 from (030-440-4413), contingent upon approval of funding in the 1999 budget.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.
Passed December 4, 1998.
Approved December 10, 1998. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends that the proper City Officers be authorized to execute an Agreement with the Metropolitan Visiting Nurse Association, in the amount of \$1,242,288, for public health nursing services, including home visits for low income, uninsured and high-risk women, children and families, as well as services for day care centers, legally licensed family day care sites, and legally unlicensed sites to ensure healthy child care environments, and some school-based clinic nursing services. Said agreement shall be for the period January 1 through December 31, 1999, payable from the Health Department, with \$680,052 from (010-440-4413), \$445,950 from (060-440-4413), and \$116,286 from (030-440-4422), contingent upon approval of funding in the 1999 budget.

Adopted. Yeas, 10; Nays none.
Absent – Herron, Campbell, Colvin Roy.
Passed December 4, 1998.
Approved December 10, 1998. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends that the proper City Officers be authorized to execute an Agreement with the Youth Coordinating Board to provide \$962,451 for the operation of the Way To Grow Program for the period January 1 through December 31, 1999. Said agreement provides health education, advocacy, outreach and cultural linkages between families and health care delivery systems, as well as public health nursing services at the Way To Grow sites, payable from the Health Department, with \$539,000 from (010-440-4413) and \$423,451 from (040-440-4413), contingent upon approval of funding in the 1999 budget.

Adopted. Yeas, 6; Nays, 4 as follows:
Yeas – Mead, Thurber, Ostrow, Biernat, Niland, Cherryhomes.
Nays – Minn, McDonald, Johnson, Goodman.
Absent – Herron, Campbell, Colvin Roy.
Passed December 4, 1998.
Approved December 10, 1998. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, to whom was referred an ordinance amending Titles 10, 13 and 14 of the Minneapolis Code of Ordinances to increase fees that were incorrect or left out of the general fee increase ordinance, passed on May 22, 1998, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted. Yeas, 10; Nays none.
Absent – Herron, Campbell, Colvin Roy.
Passed December 4, 1998.
Approved December 10, 1998. S. Sayles Belton, Mayor.
Attest: M. Keefe, City Clerk.

ORDINANCE 98-Or-146

By Biernat

Intro & 1st Reading: 8/14/98

Ref to: PS&RS

2nd Reading: 12/4/98

Amending Titles 10, 13 and 14 of the Minneapolis Code of Ordinances to increase fees that were incorrect or left out of the general fee increase ordinance passed on May 22, 1998.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That the fees for the following licenses shall increase in accordance with the general fee increase passed on May 22, 1998.

License	Code Section	New Fee
Special Late Hours Food	360.70	\$ 55.00
Special Late Hours Entertainment	360.75	\$110.00
Indoor Food Cart	188.595	\$330.00
Immobilization	320.30	\$275.00

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998. J. Cherryhomes, President of Council.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends approval of the following City Council appointments to the Truth In Housing Board of Appeals for two-year terms to expire December 31, 2000:

- a. Allan D Olson, Director of Inspections designee (ex-officio/non-voting);
- b. Larry Walker, Executive Director of the Minneapolis Community Development Agency designee (ex-officio/nonvoting);
- c. Henry Reimer, representing the City Attorney's Office (ex-officio/non-voting);
- d. David Tonneson, 1415 Mount Curve, Ward 7 (representing the financial community);
- e. Bobbi White, 5516 Lyndale Av S, Ward 13 (representing the real estate business);
- f. Marty Schirber, 3323 Arthur St NE, Ward 1 (member experienced in construction);
- g. Clay Thompson, 1446 W 34th St, Ward 10 (member representing the Minnesota Society of Housing Inspectors);
- h. Charles A Blixt, 4117 Arbor Ln, Eagan (member representing the American Society of Home Inspectors);
- i. Desmond J.M. Whitney, 2709 Drew Av S, Ward 7 (public member);
- j. Karen Carney, 2825 Irving Av S, Ward 7 (public member).

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the following properties creating nuisance conditions within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, and having determined that rehabilitation of said properties is not feasible, now recommends that the proper City officers be authorized to raze the following properties, as more fully set forth in the Findings of Fact, Conclusions and Recommendations which are on file in the Office of the City Clerk and made a part of this report by reference:

- a. 3537 3rd Av S, Lot 19, Block 5, Clinton Avenue Addition (PID #03-028-24-41-0091);
- b. 1928 Portland Av S, Lots 1, 2 and 3, Block 1, A.M. Jerome's Addition (PID #27-029-24-44-0001).

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having received a report from the Off-Leash Dog Exercise Area Citizen Advisory Committee that presented its Findings and Recommendations that a minimum of six to ten off-leash recreation sites be initially established and operational within 12 to 18 months, with at least one site per park district, and that additional off-leash recreation areas be established in the future to provide easy neighborhood access to off-leash areas throughout the City, now recommends approval of the concept, and that the City Council indicates its willingness to work with the Park & Recreation Board as it relates to the City's licensing system.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

PS&RS & W&M/Budget – Your Committee, having under consideration the Immunization Action Plan whereby the Department of Health & Family Support receives federal funds via the Minnesota Department of Health for immunization services that are provided in partnership with Hennepin County, now recommends passage of the accompanying Resolution appropriating \$67,753 to the Health Department Agency to reflect the allocation of unexpended 1996 and 1997 grant funds into the Department's 1998 budget.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-456
By Biernat and Campbell

Amending The 1998 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Health Department Agency in the Grants – Federal Fund (030-440-4413) by \$67,753, and increasing the Revenue Source (030-440-4413 – Source 3210) by \$67,753.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

J. Cherryhomes, President of Council.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget – Your Committee recommends that the proper City Officers be authorized to execute Amendment #2 to Contract #11036 with Rebehn & Associates, Inc, in the amount of \$30,000 to provide counseling services for employees under the direction of the Police Employee Assistance Program for the period January 1, through December 31, 1999, payable quarterly from the Police Department (010-400-B125). (Petr No 264334)

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget – Your Committee recommends that the proper City Officers be authorized to accept the 1998 Local Law Enforcement Block Grant from the United States Department of Justice, Bureau of Justice Assistance, in the amount of \$1,049,749, to be used for law enforcement and crime prevention purposes over a two-year period.

Your Committee further recommends passage of the accompanying Resolution appropriating \$1,049,749 to the Police Department Agency to reflect receipt of said grant funds.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-457
By Biernat and Campbell

**Amending The 1998 General
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants – Federal Fund (030-400-P605) by \$1,049,749 and increasing the Revenue Source (030-400-P605 – Source 3210) by \$1,049,749.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

J. Cherryhomes, President of Council.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget – Your Committee recommends that the proper City Officers be authorized to accept a donation of \$1,400 to be used to offset registration fees of \$200 per participant at the Comprehensive Stress Management Program that was hosted by the Police Department Training Unit on November 4 and 5, 1998. Said registration fees will be partial reimbursement for expenses incurred for facility rental, food and beverage, and instructor fees incurred as a result of hosting the program.

Your Committee further recommends passage of the accompanying Resolution appropriating \$1,400 to the Police Department to reflect receipt of said funds.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-458
By Biernat and Campbell

**Amending The 1998 General
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the General Fund (010-400-B111) by \$1,400.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

J. Cherryhomes, President of Council.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **TRANSPORTATION & PUBLIC WORKS** Committee submitted the following reports:

T&PW – Your Committee, to whom was referred an ordinance amending Title 17 of the Minneapolis Code of Ordinances relating to **Streets and Sidewalks: Hennepin-Lake Special Service District**, changing the name of the district to “Uptown” and deleting obsolete language regarding a temporary advisory board, and having held a public hearing thereon, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 98-Or-147
By McDonald

Intro & 1st Reading: 10/16/98

Ref to: T&PW

2nd Reading: 12/4/98

Amending Title 17, Chapter 438 of the Minneapolis Code of Ordinances relating to Streets and Sidewalks: Hennepin-Lake Special Service District.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That the title of Chapter 438 of the above-entitled ordinance be amended to read as follows:

CHAPTER 438. UPTOWN SPECIAL SERVICE DISTRICT*

Section 2. That Section 438.90 (a) and (d) of the above-entitled ordinance be amended to read as follows:

438.90. Advisory board. (a) An advisory board to be known as the Uptown Special Service District Advisory Board consisting of nine (9) members, who are residents of the district or owners of property within the district, shall be appointed by the city council for terms of two (2) years beginning on January first of each odd-numbered year, the first term to commence January 1, 1987. All board members shall be appointed in conformance with the city's open appointments ordinance. Any vacancy in an unexpired term shall be filled in the same manner as the original appointment was made and shall be for the unexpired term. Board members shall serve until their successors are appointed.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

J. Cherryhomes, President of Council.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee recommends that the proper City officers be authorized to execute an agreement with Northern States Power Company (NSP) providing for the City's installation of a power conduit under the new 1st Street South Bridge for future power needs. Said contract will provide that NSP will reimburse the City's contract construction cost related to the installation of the conduit, estimated to be \$22,000.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee recommends that the proper City officers be authorized to issue a Bicycle Rack Permit to Robert Sorenson to install a rack on the public right of way at 2829 Hennepin Avenue. Said permit is granted in accordance with the provisions of Chapter 490.250 through 490.280 of the Minneapolis Code of Ordinances and as set forth in the plans and drawings submitted by the applicant (Petr No 264337). (63912)

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having been informed that the City has been approved to receive federal funds of approximately \$786,383 through the Railroad Crossing Safety Program, now recommends that the proper City officers be authorized to execute the following agreements with the Soo Line Railroad Company (d/b/a C.P. Rail System) and the Minnesota Commissioner of Transportation, Office of Freight, Railroads and Waterways, regarding the City's participation and commitment of local funds for the construction of Railroad Grade Crossing Warning Devices and related roadway surface construction on E 32nd St, E 35th St, E 38th St, and E 42nd St between Hiawatha Av and Minnehaha Av:

a. Agreement No. 74731 for an estimated amount of \$16,983.40 towards the City's share of project costs for the installation of Grade Crossing Warning Devices at E 42nd St between Hiawatha Av and Minnehaha Av;

b. Agreement No. 74737 for an estimated amount of \$20,988.40 towards the City's share of project costs for the installation of Grade Crossing Warning Devices at E 38th St between Hiawatha Av and Minnehaha Av;

c. Agreement No. 74738 for an estimated amount of \$21,511.60 towards the City's share of project costs for the installation of Grade Crossing Warning Devices at E 35th St between Hiawatha Av and Minnehaha Av;

d. Agreement No. 76605 for an estimated amount of \$21,511.60 towards the City's share of project costs for the installation of Grade Crossing Warning Devices at E 32nd St between Hiawatha Av and Minnehaha Av;

Your Committee further recommends that said projects be added as part of the Hiawatha Avenue Project and that the City's expenses for said grade crossings be funded through the existing appropriation available in the Public Works – Streets and Malls Capital Agency (4100-937-9372) as provided by the 1997 Capital Improvement Resolution (96R-364).

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration the Shingle Creek Stormwater Pond Project and the need for the City to make a determination regarding wetland loss, now recommends passage of the accompanying resolution authorizing the Zoning Administrator to grant to the Department of Public Works a Certificate of No Loss for proposed alterations to the Shingle Creek Wetland in accordance with the requirements of the Minnesota Wetland Conservation Act.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 7, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published December 9, 1998)

RESOLUTION 98R-459

By Mead

Authorizing the Zoning Administrator to issue a Certificate of No Loss for proposed alterations to the Shingle Creek Wetland in accordance with the requirements of the Minnesota Wetland Conservation Act.

Whereas, the City of Minneapolis, Department of Public Works is preparing to construct a stormwater pond adjacent to Shingle Creek at 52nd and Upton Aves N; and

Whereas, the City has entered into a cooperative agreement with the City of Brooklyn Center to construct this stormwater pond; and

Whereas, a wetland delineation survey prepared by SEH Engineering on December 30, 1994 determined that sections of the site meet the technical criteria of wetlands; and

Whereas, the project proposes to fill 1.32 acres of existing wetland in order to create a berm separating a natural wetland from the stormwater pond; and

Whereas, the project also proposes to mitigate this fill by the creation of 3.28 acres of wetland within the limits of the site; and

Whereas, on July 6, 1998 the Department of Public Works sent notice of application for Wetland Conservation Act Impact to those

required to receive notice under the Wetland Conservation Act; and

Whereas, no comments were received during the 30-day public comment period;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Zoning Administrator is hereby authorized to grant to the Department of Public Works a Certificate of No Loss for proposed alterations to the Shingle Creek Wetland in accordance with the requirements of the Minnesota Wetland Conservation Act.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

J. Cherryhomes, President of Council.

Approved December 7, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published December 9, 1998)

T&PW – Your Committee recommends that the proper City officers be authorized to execute an agreement with Bentley Systems, Inc. for support services for the Public Works Engineering Design Division Microstation computer software. All payments related to these services will occur under the existing contract with The Itasca Group, a Bentley Certified Service Provider.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee recommends that the proper City officers be authorized to negotiate and execute a Twin Cities Water Quality Initiative Grant Agreement with the Metropolitan Council for the purpose of constructing a stormwater filter at Grass Lake. The amount of the grant is \$100,000 and the City is required to provide a match of \$35,000 which shall be achieved through staff time and laboratory charges for stormwater analysis. Funds for the local share are available in the Sewer Design operating budget (730-6065).

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee recommends that the proper City officers be authorized to negotiate and execute a cooperative agreement with the Minnehaha Creek Watershed District that details the responsibilities for the property acquisition, land clearance, construction, operation and maintenance of the 60th and 1st Av S flood control pond and associated stormwater drainage system. Funds for the City's share of the project are available in the 1998-2006 Flood Control Capital Improvement Program, Project #34, Public Works – Sewer Construction Capital Agency (4100-932-9322). Said cooperative agreement will provide, among other things, that the Minnehaha Creek Watershed District will be responsible for the design and construction of the wet detention pond and associated necessary facilities and the costs associated therewith. The City shall bear the costs of acquiring and clearing the land and shall be responsible for design, construction, operation and maintenance of storm sewer improvements in the project catchment area as outlined in the agreement and the work plan. The City shall be responsible for the operation and maintenance of the wet detention pond. The City agrees that it will conduct cleaning and sweeping of the project area at least three times per year. The agreement shall include such other provisions as are reasonable to cooperatively complete the project.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee recommends that the proper City officers be authorized to extend the City's existing agreement with MARTINEZ Corporation to create Digital Orthophotography for the Public Works Department Geographic Information System. The extension to the contract shall not exceed \$50,000, payable from the Public Works – Engineering Design Agency (4100-600-6025).

Your Committee further recommends concurrence with the Permanent Review Committee's recommendation to waive the City's Professional Procurement Policy for said

contract extension with the understanding that a full Request for Proposals for the services will be reviewed for issuance in 1999.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having under consideration the need to utilize radio equipment to read utility meters that cannot be read by the Water Department's telephone-based system and the licensing requirements of the Federal Communications Commission for such systems, now recommends that the proper City officers be authorized to sign agreements with other cities or utilities that will authorize the joint use of Channel 956.43125 MHz for meter reading purposes.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having received a report from the Hennepin County Environmental Management Division including information on the Regional and County Solid Waste Management Plan, the division's proposed 1999 budget, and links to Minneapolis programs and services, now recommends that the City convey its appreciation to Hennepin County for their involvement in the collaborative work already done on the clean-up of contaminated land and that the City encourage the Hennepin County Board to approve funding in the division's proposed 1999 budget to continue those cooperative clean-up efforts which have resulted in new jobs and an expanded tax base.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 7, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published December 9, 1998)

T&PW – Your Committee, having under consideration the Midtown Greenway Trail Project, now recommends that the proper City officers be authorized to transfer construction funds in the amount of \$1,220,459.41 to the Minnesota Department of Transportation (MnDOT) as required under the regulations for use of federal funds for the project. Said funds are payable from the Public Works – Transportation Capital Agency (4100-943-9464).

Your Committee further recommends that the City recommend to the Commissioner of Transportation that a construction contract for said project be awarded to the low responsive bidder, Veit Companies, in the amount of \$2,291,942.55 through completion of MnDOT's Auditor's Certificate form.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 7, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published December 9, 1998)

T&PW – Your Committee, having received a report from the City Engineer regarding Work Force Utilization, a program to provide staffing for street operation purposes from late November through mid-April on a two-shift per day, seven-day per week basis and having been informed that an agreement regarding the program has been ratified by Local 49 (Operating Engineers), Local 320 (Teamsters) and Local 363 (Laborers), now recommends that said report be received and filed with affirmation of the program and direction to continue with implementation.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **TRANSPORTATION & PUBLIC WORKS** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

T&PW & W&M/Budget – Your Committee recommends acceptance of the following bids in accordance with City specifications (Petr No 264341):

a) OP #4989, low bid submitted by Universal Applicators, Inc. in the amount of \$54,886 for furnishing and delivering all labor, equipment, materials and incidentals for the removal of existing liner system and installation of a new hypalon lining system for the Water Department;

b) OP #5013, only bid submitted by Zahl Equipment Company in the amount of \$44,460 for furnishing all labor, materials, equipment and incidentals necessary to install fuel tanks, pumps and concrete slab for the Water Department;

c) OP #4973, low bid of NewMech Companies, Inc. for an estimated expenditure of \$2,488,000 for furnishing all labor, materials, equipment, supervision and incidentals necessary for the construction of Pump Station No. 9 for the Water Department; and

d) OP #4981, low bid of HBM Services, Inc. in the amount of \$11,565 to provide window cleaning service for the General Services Division at the following sites for the period of January 1 through December 31, 1999:

Public Service Center	Lump sum per year	\$5,550
City of Lakes Building	Lump sum per year	825
Police Community Services	Lump sum per year	240
Royalston Maintenance Facility	Lump sum per year	4,950
Additional Work	per hour	35

Your Committee further recommends that the proper City officers be authorized to execute contracts for the above projects and/or services, in accordance with City specifications.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having received a report providing updated design and construction costs for the Water Works Pump Station #9 project, now recommends:

a) Approval of the cost plan for the project, including the additional funding requirement of \$1,116,000. Additional funding of \$1,115,787.52 shall be provided from nine other projects in the Minneapolis Water Works Capital Improvement Program which are completed, canceled or have unspent balances (outlined in detail in Petn No. 264342 on file in the Office of the City Clerk). Authorization is granted to the proper City officers to transfer said funds to the Pump Station No. 9 project; and

b) Passage of the accompanying resolution appropriating \$1,115,787.52 to the Public Works – Water Capital Agency for the Pump Station No. 9 project.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-460

By Mead and Campbell

Amending The 1998 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the PW – Water Capital Agency in the Water Revenue Fund (7400-950-9515) by \$1,115,787.52 for the Pump Station No. 9 project.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998. J.

Cherryhomes, President of Council.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration the results of a Request for Proposals issued by the City seeking software to automate the City's system for responding to requests for location of utilities, now recommends that the proper City officers be authorized to enter into a professional services agreement with Vertical Systems, Inc., the only proposal received, for an automated dispatching system, for a fee not to exceed \$40,200, payable from the Water Works, Sewer Planning and Design and Transportation & Special Projects Divisions budgets.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 7, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published December 9, 1998)

T&PW & W&M/Budget – Your Committee, having under consideration safety enhancements planned for the Midtown Greenway Trail Project, now recommends:

a) That the proper City officers be authorized to enter into a joint powers agreement with the Minnesota Department of Transportation (MnDOT) regarding the Personal and Physical Safety Technology and Equipment Project which includes security cameras, emergency telephones, crossing warning system and a trail count station;

b) That City appropriated funds in the amount of \$35,000 be included with State funding of \$170,000 and Hennepin Community Works funding of \$50,000 for said safety project; and

c) That the Public Works Department be authorized to begin immediately on the design for the Personal and Physical Safety Technology and Equipment Project.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.
Approved December 7, 1998. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.
(Published December 9, 1998)

The WAYS & MEANS/BUDGET

Committee submitted the following reports:

W&M/Budget – Your Committee recommends approval for the proper City officers to proceed with the purchase of an Owner-Controlled Insurance Program (OCIP), for the Convention Center Expansion Project, as recommended by the Minneapolis Convention Center Implementation Committee.

Your Committee further recommends approval for appropriate City staff to proceed with evaluation of seven OCIP underwriting submissions relating to program design and costs, to assist with selection of an insurance carrier, and further recommends that said staff return to the Ways and Means/Budget Committee on December 15, 1998 for final approval of said insurance carrier.

Adopted. Yeas, 9; Nays none.

Declining to Vote – Cherryhomes.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to implement the Transit Works Program for employees who commute to work by bus, intended to promote use of mass transportation by offering the following:

a) 50% introductory discounts on bus pass cards for a period of six months;

b) 5% discounts for at least 6 months following the introductory phase; and

c) tax-free payroll deductions for the purchase of said bus pass cards.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends acceptance of a private donation

from George Rickey for the East Calhoun Community Organization (ECCO) Gateway Project, in the amount of \$16,000.

Your Committee further recommends passage of the accompanying resolution increasing the Communications Appropriation by \$16,000.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-461

By Campbell

**Amending The 1998 General
Appropriation Resolution.**

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Communications Agency in the Grants – Other Fund (0600-800-8015) by \$16,000, and increasing the Communications Agency revenue estimate in the Grants – Other Fund (0600-800-8015-Source 3720 by \$16,000.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

J. Cherryhomes, President of Council.

Approved December 10, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute a contract with Jeffrey Kalstrom, for production of the Columbia Park Gateway Project, as proposed by the artist, in the amount of \$50,000, payable from Permanent Improvement Projects Fund – Capital Improvement – Non-Departmental (4100-970-9707).

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that a lawsuit filed against the City be settled and that payment be made to TIG Insurance Company, in the amount of \$15,000, payable from 690-150-1500-4000.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends reappointment of the following persons to serve on the Police Relief Association Board for two-year terms to expire December 31, 2000:

a) Scott Renne, City Assessor; and

b) Rebecca Law, Management Analyst I.

Your Committee further recommends reappointment of the following persons to serve on the Fire Relief Association Board for two-year terms to expire December 31, 2000:

c) David Foster, Finance Operation Division Director; and

d) Lori Economy Scholler, Cash and Revenue Management Division.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends acceptance of the 1998-1999 United States Department of Justice Executive Office of Weed and Seed funds, in the amount of \$175,000, as administered through the State of Minnesota, to be used for the Central Neighborhood Weed and Seed site.

Your Committee further recommends that the proper City officers be authorized to execute the required grant agreement(s).

Your Committee further recommends passage of the accompanying resolution increasing the Non-Departmental Agency Appropriation by \$175,000.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 7, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published December 9, 1998)

RESOLUTION 98R-462

By Campbell

Amending The 1998 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Non-Departmental Agency in the Federal Grants Fund (0300-123-1230) by \$175,000 and increasing the Non-Departmental Agency revenue estimate in the Federal Grants Fund (0300-123-1230-Source 3210) by \$175,000.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

J. Cherryhomes, President of Council.

Approved December 7, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published December 9, 1998)

W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute Amendment #3 to Contract #12382 with Dale Dobson, updating administrative responsibilities and increasing said contract by \$30,000, for a new contract total not to exceed \$135,000, payable from Permanent Improvement Projects Fund – Convention Center Site (4100-975-9751).

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having under consideration a request to include in the December, 1998 and January, 1999 utility billings a message relating to City requirements for shoveling public sidewalks, now recommends approval for said inclusion.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends approval for the City of Minneapolis to formally commit to supporting the establishment of a Senior Coordinating Board early in 1999.

Your Committee further recommends that appropriate Intergovernmental Relations and City Attorney staff be directed to discuss with other jurisdictions the recommendation to form a multi-jurisdictional partnership that would provide shared financial support of said Board.

Your Committee further recommends that appropriate staff from the City Attorney's Office be directed to research legalities relating to required citizen participation in decisions relating to Neighborhood Revitalization Program (NRP) funding of said Board.

Your Committee further recommends that the matter be referred to the 1999 budget process and to the Health and Human Services Committee for further discussion and action.

Adopted. Yeas, 9; Nays none.

Declining to Vote – McDonald.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends approval of the labor agreement settlement with the Minneapolis Teamsters Public and Law Enforcement Employees Union, Local #320, Convention Center Unit, as more fully set forth in Petn No 264351 on file in the Office of the City Clerk, which summarizes the major proposed terms of said agreement.

Your Committee further recommends that the proper City officers be authorized to execute a contract to reflect the terms of said agreement, to be effective for the period from January 1, 1998 through December 31, 2000.

Your Committee further recommends passage of the accompanying amendments to the Salary Ordinance providing for implementation of salary adjustments, as set forth in said labor agreement.

Your Committee further recommends summary publication of said Salary Ordinance.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 98-Or-148, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, providing for salary adjustments based on the labor agreement settlement with the Minneapolis Teamsters Public and Law Enforcement Employees Union, Local #320, Convention Center Unit, was passed December 4, 1998, by the City Council and approved December 10, 1998, by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 98-Or-148

By Campbell

1st & 2nd Readings: 12/4/98

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That the following classifications in Section 20.10.01 of the above -entitled ordinance be amended to make the following changes effective January 1, 1998:

20.10.01 Council Jurisdiction.

The compensation of the listed classifications under City Council jurisdiction shall be provided in this Chapter.

The rates of pay herein provided shall be effective as of January 1, 1998, September 1, 1998, January 1, 1999, and January 1, 2000, except as hereinafter provided, and shall apply to all persons in the employ of the City on or after the enumerated effective date, including those who have since such date retired or have been laid off through no fault or delinquency of such employee but shall not apply to any employee heretofore separated from the service by voluntary resignation or through fault or delinquency on the part of such employee.

The rates stated herein shall be the hourly salary rates unless stated otherwise.

TEAMSTERS LOCAL #320 (CVT) -Convention Center

Effective January 1, 1998

FLSA	OTC	CODE	CLASSIFICATION	P	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
N	2	01040C	Attendant, Convention Center	H	8.46	9.11	10.01	10.27	10.74	11.45	12.11
N	2	02630C	Convention Center Operation and Maintenance Specialist								

Provided that when a Convention Center Operations and Maintenance Specialist or Attendant, Convention Center is assigned as a working foreman, he/she shall receive an additional thirty-five cents (\$.35) per hour.

Provided that when a Convention Center Operations and Maintenance Specialist is assigned duties as a Gardner, s/he shall receive an additional one dollar and five cents (\$1.05) per hour.

Provided that employees shall receive the following longevity. These payments shall be based on a maximum of 80 hours bi-weekly.

- \$.09 cents per hour additional at the beginning of the 10th year of service.
- \$.14 cents per hour additional at the beginning of the 15th year of service.
- \$.19 cents per hour additional at the beginning of the 20th year of service.
- \$.36 cents per hour additional at the beginning of the 25th year of service.

All regular full-time employees who transferred to the Convention Center from the old Minneapolis Auditorium shall be paid the maximum longevity rate of pay notwithstanding their actual number of years of service.

Provided that the fourth (4th) step of the wage progression shall not be applicable to Convention Center Operations and Maintenance Specialists hired prior to April 16, 1993.

Provided that part-time employees (i.e. those certified employees who are regularly scheduled to work less than 35 hours per week) at steps one, two and three of the pay progression shall be eligible to be considered for advancement to the next progression step within the pay range for their job classification upon the completion of six (6) months actual paid service (i.e., 1044 compensated hours).

Section 2. That the following classifications in Section 20.10.01 of the above entitled ordinance be amended to make the following changes effective September 1, 1998:

TEAMSTERS LOCAL #320 (CVT) - Convention Center

Effective September 1, 1998

FLSA	OTC	CODE	CLASSIFICATION	P	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
N	2	02630C	Convention Center Operations and Maintenance Specialist	H	9.75	10.84	11.83	12.76	13.71	14.49	15.54

Section 3. That the following classifications in Section 20.10.01 of the above entitled ordinance be amended to make the following changes effective January 1, 1999:

TEAMSTERS LOCAL #320 (CVT) - Convention Center

Effective January 1, 1999

FLSA	OTC	CODE	CLASSIFICATION	P	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
N	2	01040C	Attendant, Convention Center	H	8.67	9.34	10.26	10.53	11.01	11.74	12.41
N	2	02630C	Convention Center Operations and Maintenance Specialist	H	9.99	11.11	12.13	13.08	14.05	14.85	15.93

Provided that when a Convention Center Operations and Maintenance Specialist or Attendant, Convention Center is assigned as a working foreman, he/she shall receive an additional thirty-five cents (\$.35) per hour.

Provided that when a Convention Center Operations and Maintenance Specialist is assigned duties as a Gardner, s/he shall receive an additional one dollar and eight cents (\$1.08) per hour.

Provided that employees shall receive the following longevity. These payments shall be based on a maximum of 80 hours bi-weekly.

- \$.09 cents per hour additional at the beginning of the 10th year of service.
- \$.14 cents per hour additional at the beginning of the 15th year of service.
- \$.19 cents per hour additional at the beginning of the 20th year of service.
- \$.37 cents per hour additional at the beginning of the 25th year of service.

All regular full-time employees who transferred to the Convention Center from the old Minneapolis Auditorium shall be paid the maximum longevity rate of pay notwithstanding their actual number of years of service.

Provided that the fourth (4th) step of the wage progression shall not be applicable to Convention Center Operations and Maintenance Specialists hired prior to April 16, 1993.

Provided that part-time employees (i.e. those certified employees who are regularly scheduled to work less than 35 hours per week) at steps one, two and three of the pay progression shall be eligible to be considered for advancement to the next progression step within the pay range for their job classification upon the completion of six (6) months actual paid service (i.e., 1044 compensated hours).

Section 4. That the following classifications in Section 20.10.01 of the above entitled ordinance be amended to make the following changes effective January 1, 2000:

TEAMSTERS LOCAL #320 (CVT) - Convention Center

Effective January 1, 2000

FLSA	OTC	CODE	CLASSIFICATION	P	1st STEP	2nd STEP	3rd STEP	4th STEP	5th STEP	6th STEP	7th STEP
N	2	01040C	Attendant, Convention Center	H	8.88	9.57	10.52	10.79	11.29	12.03	12.72
N	2	02630C	Convention Center Operations and Maintenance Specialist	H	10.24	11.39	12.43	13.41	14.40	15.22	16.33

Provided that when a Convention Center Operations and Maintenance Specialist or Attendant, Convention Center is assigned as a working foreman, he/she shall receive an additional thirty-five cents (\$.35) per hour.

Provided that when a Convention Center Operations and Maintenance Specialist is assigned duties as a Gardner, s/he shall receive an additional one dollar and ten cents (\$1.10) per hour.

Provided that employees shall receive the following longevity. These payments shall be based on a maximum of 80 hours bi-weekly.

\$.09 cents per hour additional at the beginning of the 10th year of service.

\$.14 cents per hour additional at the beginning of the 15th year of service.

\$.19 cents per hour additional at the beginning of the 20th year of service.

\$.38 cents per hour additional at the beginning of the 25th year of service.

All regular full-time employees who transferred to the Convention Center from the old Minneapolis Auditorium shall be paid the maximum longevity rate of pay notwithstanding their actual number of years of service.

Provided that the fourth (4th) step of the wage progression shall not be applicable to Convention Center Operations and Maintenance Specialists hired prior to April 16, 1993.

Provided that part-time employees (i.e. those certified employees who are regularly scheduled to work less than 35 hours per week) at steps one, two and three of the pay progression shall be eligible to be considered for advancement to the next progression step within the pay range for their job classification upon the completion of six (6) months actual paid service (i.e., 1044 compensated hours).

Adopted. Yeas, 10; Nays none.

Absent - Herron, Campbell, Colvin Roy.

Passed December 4, 1998. J. Cherryhomes, President of Council.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends approval of the labor agreement settlement with the Minneapolis Teamsters Public and Law Enforcement Employees Union, Local #320, Drivers' Unit, as more fully set forth in Petn No 264351 on file in the Office of the City Clerk, which summarizes the major proposed terms of said agreement.

Your Committee further recommends that the proper City officers be authorized to execute a contract to reflect the terms of said agreement, to be effective for the period from April 1, 1998 through December 31, 2000.

Your Committee further recommends passage of the accompanying amendments to the Salary Ordinance providing for implementation of salary adjustments, as set forth in said labor agreement.

Your Committee further recommends summary publication of said Salary Ordinance.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 98-Or-149, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, providing for salary adjustments based on the labor agreement settlement with the Minneapolis Teamsters Public and Law Enforcement Employees

Union, Local #320, Drivers' Unit, was passed December 4, 1998, by the City Council and approved December 10, 1998, by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 98-Or-149
By Campbell

1st & 2nd Readings: 12/4/98

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That the following classifications in Section 20.10.01 of the above entitled ordinance be amended to make the following changes effective April 1, 1998:

20.10.01 Council Jurisdiction.

The compensation of the listed classifications under City Council jurisdiction shall be provided in this Chapter.

The rates of pay herein provided shall be effective as of April 1, 1998, January 1, 1999, and January 1, 2000, except as hereinafter provided, and shall apply to all persons in the employ of the City on or after the enumerated effective date, including those who have since such date retired or have been laid off through no fault or delinquency of such employee but shall not apply to any employee heretofore separated from the service by voluntary resignation or through fault of delinquency on the part of such employee.

The rates stated herein shall be the hourly salary rates unless stated otherwise.

TEAMSTERS LOCAL #320 (C320)

Effective April 1, 1998

FLSA	OTC	CODE	CLASSIFICATION	P	1st STEP	2nd STEP	3rd STEP	4th STEP
N	2	10710C	Truck Driver	H	13.43	14.72	16.01	17.30
N	2	10720C	Truck Driver, Sanitation*	H	10.71	12.40	14.18	17.15

*Truck drivers permanently assigned to the Sanitation Division

*The base wage for Truck Driver, Sanitation includes a nonstandard shift differential of one dollar and twenty-two cents (\$1.22), and a Safety Shoe allowance of ten cents (.10) per hour.

A Truck Driver, when assigned to field service tanker, tractor trailer, oil distributor, street flusher, vac-all or maintenance truck driver, shall be paid an additional premium of sixty-eight cents (\$.68) per hour.

A Truck Driver, when assigned to rotary snowplow, tractor transit mixer or lowboy, shall be paid an additional premium of ninety cents (\$.90) per hour.

A Truck Driver, when assigned to mechanical sweepers, shall be paid an additional premium of one dollar and sixty-four cents (\$1.64) per hour.

Provided that employees shall remain at each step until they have 1044 hours of actual work in each step according to present policies governing probationary periods and increment increases, subject to a maximum of 80 hours per pay period.

Provided that employees shall receive the following longevity. These payments shall be based on a maximum of eighty (80) hours biweekly.

\$.15 cents per hour additional at the beginning of the 10th year of service.

\$.22 cents per hour additional at the beginning of the 15th year of service.

\$.33 cents per hour additional at the beginning of the 20th year of service.

\$.39 cents per hour additional at the beginning of the 25th year of service.

Section 2. That the following classifications in Section 20.10.01 of the above entitled ordinance be amended to make the following changes effective January 1, 1999:

TEAMSTERS LOCAL #320 (C320)

Effective January 1, 1999:

FLSA	OTC	CODE	CLASSIFICATION	P	1st STEP	2nd STEP	3rd STEP	4th STEP
N	2	10710C	Truck Driver	H	13.77	15.09	16.41	17.73
N	2	10720C	Truck Driver, Sanitation*	H	10.98	12.71	14.53	17.58

*Truck drivers permanently assigned to the Sanitation Division

*The base wage for Truck Driver, Sanitation includes a nonstandard shift differential of one dollar and twenty-two cents (\$1.22), and a Safety Shoe allowance of ten cents (.10) per hour.

A Truck Driver, when assigned to field service tanker, tractor trailer, oil distributor, street flusher, vac-all or maintenance truck driver, shall receive an additional premium of seventy cents (\$.70) per hour.

A Truck Driver, when assigned to rotary snowplow, tractor transit mixer or lowboy, shall receive an additional premium of ninety-two cents (\$.92) per hour.

A Truck Driver, when assigned to mechanical sweepers, shall receive an additional premium of one dollar and sixty-eight cents (\$1.68) per hour.

Provided that employees shall remain at each step until they have 1044 hours of actual work in each step according to present policies governing probationary periods and increment increases, subject to a maximum of 80 hours per pay period.

Provided that employees shall receive the following longevity. These payments shall be based on a maximum of eighty (80) hours biweekly.

\$.15 cents per hour additional at the beginning of the 10th year of service.

\$.28 cents per hour additional at the beginning of the 15th year of service.

\$.34 cents per hour additional at the beginning of the 20th year of service.

\$.45 cents per hour additional at the beginning of the 25th year of service.

Section 3. That the following classifications in Section 20.10.01 of the above entitled ordinance be amended to make the following changes effective January 1, 2000:

TEAMSTERS LOCAL #320 (C320)

Effective January 1, 2000:

FLSA	OTC	CODE	CLASSIFICATION	P	1st STEP	2nd STEP	3rd STEP	4th STEP
N	2	10710C	Truck Driver	H	14.04	15.39	16.74	18.09
N	2	10720C	Truck Driver, Sanitation*	H	11.20	12.96	14.83	17.93

*Truck drivers permanently assigned to the Sanitation Division

*The base wage for Truck Driver, Sanitation includes a nonstandard shift differential of one dollar and twenty-two cents (\$1.22), and a Safety Shoe allowance of ten cents (.10) per hour.

A Truck Driver, when assigned to field service tanker, tractor trailer, oil distributor, street flusher, vac-all or maintenance truck driver, shall receive a premium of seventy-one cents (\$.71) per hour.

A Truck Driver, when assigned to rotary snowplow, tractor transit mixer or lowboy, shall receive an additional premium of ninety-four cents (\$.94) per hour.

A Truck Driver, when assigned to mechanical sweepers, shall receive an additional premium of one dollar and seventy-one cents (\$1.71) per hour.

Provided that employees shall remain at each step until they have 1044 hours of actual work in each step according to present policies governing probationary periods and increment increases, subject to a maximum of 80 hours per pay period.

Provided that employees shall receive the following longevity. These payments shall be based on a maximum of eighty (80) hours biweekly.

- \$.15 cents per hour additional at the beginning of the 10th year of service.
- \$.22 cents per hour additional at the beginning of the 15th year of service.
- \$.34 cents per hour additional at the beginning of the 20th year of service.
- \$.40 cents per hour additional at the beginning of the 25th year of service.

Adopted. Yeas, 10; Nays none.

Absent - Herron, Campbell, Colvin Roy.

Passed December 4, 1998. J. Cherryhomes, President of Council.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends approval of the labor agreement settlement with the Minneapolis Teamsters Public and Law Enforcement Employees Union, Local #320, Truck Drivers' Unit, City Laborers Union, Local #363, as more fully set forth in Petn No 264351 on file in the Office of the City Clerk, which summarizes the major proposed terms of said agreement, setting the weekend and night shift differentials.

Your Committee further recommends that the proper City officers be authorized to execute a contract to reflect the terms of said agreement, to be effective November 30, 1998.

Your Committee further recommends passage of the accompanying amendments to the Salary Ordinance providing for implementation of salary adjustments, as set forth in said labor agreement.

Your Committee further recommends summary publication of said Salary Ordinance.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Ordinance 98-Or-150, amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, providing for salary adjustments based on the labor agreement settlement with the Minneapolis Teamsters Public and Law Enforcement Employees Union, Local #320, Truck Drivers' Unit and City Laborers Union, Local #363, was passed December 4, 1998, by the City Council and approved December 10, 1998, by the Mayor. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 98-Or-150

By Campbell

1st & 2nd Readings: 12/4/98

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That the following classifications in Section 20.10.01 of the above entitled ordinance be amended to make the following changes effective November 30, 1998:

20.10.01 Council Jurisdiction.

The compensation of the listed classifications under City Council jurisdiction shall be provided in this Chapter.

The rates of pay herein provided shall be effective as of November 30, 1998. except as hereinafter provided, and shall apply to all persons in the employ of the City on or after the enumerated effective date, including those who have since such date retired or have been laid off through no fault or delinquency of such employee but shall not apply to any employee heretofore separated from the service by voluntary resignation or through fault or delinquency on the part of such employee.

The rates stated herein shall be the hourly salary rates unless stated otherwise.

TEAMSTERS LOCAL #320 (CTM) Truck Drivers (Addendum)

Effective November 30, 1998

Provided that when employees are assigned to work the night or weekend shift, they shall be paid a night/weekend differential of \$.85 per hour.

LABORERS LOCAL #363 (CLB) (Addendum)

Effective November 30, 1998

Provided that when employees are assigned to work the night or weekend shift, they shall be paid a night/weekend differential of \$.85 per hour.

Section 2. That the following classifications in Section 20.10.01 of the above entitled ordinance be amended to make the following changes effective November 30, 1999:

TEAMSTERS LOCAL #320 (CTM) Truck Drivers (Addendum)

Effective November 30, 1999

Provided that when employees are assigned to work the night or weekend shift, they shall be paid a night/weekend differential of \$.87 per hour.

LABORERS LOCAL #363 (CLB) (Addendum)

Effective November 30, 1999

Provided that when employees are assigned to work the night or weekend shift, they shall be paid a night/weekend differential of \$.87 per hour.

Section 3. That the following classifications in Section 20.10.01 of the above entitled ordinance be amended to make the following changes effective November 30, 2000:

LABORERS LOCAL #363 (CLB) (Addendum) Effective November 30, 2000

Provided that when employees are assigned to work the night or weekend shift, they shall be paid a night/weekend differential of \$.89 per hour.

Adopted. Yeas, 10; Nays none.

Absent - Herron, Campbell, Colvin Roy.

Passed December 4, 1998. J. Cherryhomes, President of Council.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having under consideration bill payment processing (known as lockbox services), now recommends that the proper City officers be authorized to issue a Request for Proposals (RFP) for lockbox services, with the understanding that said RFP has been presented to the Permanent Review Committee (PRC) for their review and that contract service processing, as opposed to in-house processing, will provide a significant cost savings to the City.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **ZONING & PLANNING** Committee submitted the following reports:

Z&P – Your Committee, to whom was referred an ordinance amending Title 21 of the Minneapolis Code of Ordinances relating to Interim Ordinances, adding a new Chapter 591 relating to a Moratorium on establishment or expansion of any use or development in the M1, M2, or M3 Zoning Districts located within 300 feet of the Mississippi River between Broadway and 37th Avenue NE on the east side of the river and between Broadway and 53rd Avenue N on the west side of the river, and having conducted a public hearing thereon, now recommends that said ordinance be given its second reading for amendment and passage. (Petr No 264356)

Adopted. Yeas, 9; Nays, 1 as follows.

Yeas – Mead, McDonald, Johnson, Thurber, Ostrow, Biernat, Niland, Goodman, Cherryhomes.

Nays – Minn.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

ORDINANCE 98-Or-151

By Biernat

Intro & 1st Reading: 9/18/98

Ref to: Z&P

2nd Reading: 12/4/98

Amending Title 21 of the Minneapolis Code of Ordinances by adding a new Chapter 591 relating to Interim Ordinances: Moratorium on the establishment or expansion of any use or development in the M1, M2, or M3 Zoning Districts located within three hundred (300) feet of the Mississippi River between Broadway and 37th Avenue Northeast on the east side of the river and between Broadway and 53rd Avenue North on the west side of the river.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Title 21 of the Minneapolis Code of Ordinances be amended by adding thereto a new Chapter 591 to read as follows:

CHAPTER 591. PROVIDING FOR A MORATORIUM ON THE ESTABLISHMENT OR EXPANSION OF ANY USE OR DEVELOPMENT IN THE M1, M2, OR M3 ZONING DISTRICTS LOCATED WITHIN THREE HUNDRED (300) FEET OF THE MISSISSIPPI RIVER BETWEEN BROADWAY AND 37TH AVENUE NORTHEAST ON THE EAST SIDE OF THE RIVER AND BETWEEN BROADWAY AND 53RD AVENUE NORTH ON THE WEST SIDE OF THE RIVER.

591.10. Authority. Pursuant to Minnesota Statutes Section 462.355, Subd. 4, the city is authorized to establish interim ordinances to regulate, restrict or prohibit any use or development in all or a part of the city while the city or its planning department is conducting studies, or has authorized a study to be conducted, or has scheduled a hearing to consider adoption or amendment of the comprehensive plan or official zoning controls. In furtherance of this statutory authority, the city has enacted Chapter 529 of the zoning code which governs the establishment of interim ordinances. The city declares that this interim ordinance is established pursuant to the aforementioned statute and city ordinance.

591.20. Findings and purpose. The City of Minneapolis is conducting a major revision of its comprehensive plan, zoning code, and

industrial and commercial district regulations. Major goals of the revision are: 1) to minimize land use conflicts between commercial, industrial and residential uses; 2) to promote homeownership, maintenance and investment in residential property; 3) to promote reinvestment and maintenance in commercial and industrial property; 4) to preserve the city as a desirable place in which to live, to work and to visit; and 5) to maintain and promote a compatible mixture of residential, industrial and commercial land uses.

There is a mixture of residential, commercial and industrial properties in the study area. Some of these properties are in disrepair, or are vacant or underutilized. The city council is concerned about the future development of this mixed industrial area without a final development plan. A master plan for the upper Mississippi River is currently being studied. It is expected that the results of the study will be produced in the near future. The city council is concerned that further development of the study area without a final development plan could negatively impact existing and future residential and recreational uses. Increased industrial uses may contribute to neighborhood instability through negative environmental impacts such as increased traffic, noise and visual blight.

As a result of the important land use and zoning issues cited above, the city, through its planning department, will conduct studies to consider possible amendments to the comprehensive plan or official zoning controls to address the issues of industrial development and expansion and its resultant effects on residential and recreational uses. The city finds that this interim ordinance should be adopted to protect the planning process and the health, safety and welfare of the citizens.

591.30. Zoning study. The upper Mississippi River Study Area of the city, defined as all M1, M2, and M3 zoning districts located within three hundred (300) feet of the Mississippi River between Broadway and 37th Avenue Northeast on the east side of the river and between Broadway and 53rd Avenue North on the west side of the river is hereby declared to be an interim zoning study area, with respect to the establishment or expansion of industrial uses and development. The planning department is directed to commence a study of the effects of the establishment or expansion of

any use or development in the M1, M2, or M3 districts within the study area and to propose such amendments to the comprehensive plan or official zoning controls that the planning department deems necessary.

591.40. Restrictions. For a period of one (1) year from the date of final approval of this ordinance, no building, construction, or demolition permit or license for the establishment or expansion of any industrial use or development in the M1, M2, or M3 zoning districts within the study area shall be allowed or granted by any city department. The city specifically reserves the right to extend this ordinance for such additional periods as are necessary to complete a planning study, not exceeding a total additional period of eighteen (18) months.

591.50. Hardship. In cases of hardship, any person having a legal or equitable interest in land and aggrieved by the requirements of this ordinance may apply to the city council for a waiver of all or a portion of the applicable restrictions as provided for in Chapter 529 of the zoning code. A waiver may be granted where the city council finds substantial hardship caused by the restrictions and finds that the waiver will not unduly affect the integrity of the planning process or the purposes for which the interim ordinance is enacted.

Adopted. Yeas, 9; Nays, 1 as follows:

Yeas – Mead, McDonald, Johnson, Thurber, Ostrow, Biernat, Niland, Goodman, Cherryhomes.

Nays – Minn.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

J. Cherryhomes, President of Council.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the petitions of Sears Roebuck & Company (Vac #1216 and 1217) to vacate all public alleys in Block 2 of Allan and Anderson's Addition to Minneapolis, and the North/South alley lying between Lots 1 through 6 and 27 through 32, inclusive, and the East/West alley lying in Lot 27 created in document No. 3760965 to permit redevelopment of the Sears site bounded by Chicago Avenue, East 28th Street, 11th Avenue South and East Lake

Street, now concurs in the recommendation of the Planning Commission to adopt the findings set forth in Petn No 264357 and to grant said vacations.

Your Committee further recommends passage of the accompanying resolutions.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-463

By McDonald

Vacating all public alleys in Block 2 of Allan and Anderson's Addition to Minneapolis (Vac 1216).

Resolved by The City Council of The City of Minneapolis:

That all that part of all public alleys in Block 2 of Allan and Anderson's Addition to Minneapolis is hereby vacated.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

J. Cherryhomes, President of Council.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 98R-464

By McDonald

Vacating the North/South alley lying between Lots 1 through 6 and 27 through 32, inclusive, and the East/West alley lying in Lot 27 created in document No. 3760965 (Vac 1217).

Resolved by The City Council of The City of Minneapolis:

That all that part of the North/South alley lying between Lots 1 through 6 and 27 through 32, inclusive, and the East/West alley lying in Lot 27 created in document No. 3760965 in the Hennepin County Recorder's Office is hereby vacated.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.
J. Cherryhomes, President of Council.
Approved December 10, 1998. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the appeal filed by Phillips Neighborhood, District 1, from the decision of the Planning Commission granting the American Indian Services, Inc (AIS) application for a conditional use permit for a 32-bed community residential facility at 2200 Park Av S (C-1920), now recommends that said appeal be denied and that the conditional use permit be granted with the understanding that (a) AIS will provide written information to the City and District 1 on a security plan and the loitering issue and regular updates on its capital fund campaign and budget, (b) AIS will be involved with District 1 regarding potential problems, and (c) that District 1 will attend the annual review on the conditional use permit which is required by City ordinance. (Petr No 264355)

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the appeal filed by James Curran from the decision of the Board of Adjustment denying his application for variation of front yard at 5329 York Av S from 20 ft to 16 ft 6 in to permit an 8 ft by 16 ft 9 in screened front porch, now recommends granting the appeal notwithstanding the adverse decision of the Board of Adjustment. (Petr No 264354)

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles
Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee recommends granting the application filed by Designer Sign Systems for a special permit to replace a freestanding identification sign for Children's Hospital at 2525 Chicago Av pending approval of a conditional use permit, notwithstanding the Zoning Code (#1998-225).

Adopted. Yeas, 10; Nays none.
Absent – Herron, Campbell, Colvin Roy.
Passed December 4, 1998.
Approved December 10, 1998. S. Sayles
Belton, Mayor.
Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration:

1. the appeal filed by Master Civil & Construction Engineering, Inc (Master) from the decision of the Planning Commission denying Master's applications for a conditional use permit (C-1936) and a setback variance (V-4389) to permit a surface commercial parking lot in the area bounded by W River Rd, 2nd St S, 8th Av S and 10th Av S; and

2. Master's subsequent offer, set forth in Petr No 264355, to waive its right to resolution of its application for a conditional use permit within the legally specified time, with the understanding that the City will grant a one-year interim use permit and that Master may later apply for an additional two-year interim use permit, now recommends:

a. granting a one year interim use permit for the site on condition that best practices stormwater management be incorporated into the design of the parking lot, and that the final site and landscaping plans be approved by the Planning Department; and

b. denial of the appeal for a variance.

McDonald moved that the following report be substituted for the above report. Seconded.
Adopted upon a voice vote.

Z&P – Your Committee, having under consideration:

1. the appeal filed by Master Civil & Construction Engineering, Inc (Master) from the decision of the Planning Commission denying Master's applications for a conditional use permit (C-1936) and a setback variance (V-4389) to permit a surface commercial parking lot in the area bounded by W River Rd, 2nd St S, 8th Av S and 10th Av S; and

2. Master's subsequent offer, set forth in Petr No 264355, to waive its right to resolution of its application for a conditional use permit within the legally specified time, with the understanding that the City will grant a one-year interim use permit and that Master may later apply for an additional two-year interim use permit, now recommends:

a. granting a one year interim use permit for the site on condition that best practices stormwater management be incorporated into the design of the parking lot, and that the final site and landscaping plans be approved by the Planning Department; and

b. denial of the appeal for a variance, and in lieu thereof adopt applicant's proposed site design as a condition to the interim use permit.

McDonald moved that the report be divided and that paragraphs "a" and "b" be acted upon separately. Seconded.

Adopted by unanimous consent.

The report, with paragraph "b" separated out, was adopted.

Yeas, 8; Nays, 2 as follows:

Yeas – Mead, McDonald, Johnson, Thurber, Ostrow, Biernat, Niland, Cherryhomes.

Nays – Minn, Goodman.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration:

1. the appeal filed by Master Civil & Construction Engineering, Inc (Master) from the decision of the Planning Commission denying Master's applications for a conditional use permit (C-1936) and a setback variance (V-4389) to permit a surface commercial parking lot in the area bounded by W River Rd, 2nd St S, 8th Av S and 10th Av S; and

2. Master's subsequent offer, set forth in Petn No 264355, to waive its right to resolution of its application for a conditional use permit within the legally specified time, with the understanding that the City will grant a one-year interim use permit and that Master may later apply for an additional two-year interim use permit, now recommends:

b. denial of the appeal for a variance, and in lieu thereof adopt applicant's proposed site design as a condition to the interim use permit.

Adopted. Yeas, 6; Nays, 4 as follows:

Yeas – Johnson, Thurber, Ostrow, Biernat, Niland, Cherryhomes.

Nays – Mead, Minn, McDonald, Goodman.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

MOTIONS

Ostrow, Chair of the Claims Committee, moved concurrence in the reports received from the City Attorney (Petr No 264361) recommending payment of workers' compensation to various employees and to the State Fund, and for payment of bills and professional services rendered claimants or employees injured on the job. Seconded.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Biernat moved to introduce the subject matter of an Ordinance amending Title 13, Chapter 281 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Tobacco Dealers*, which was given its first reading and referred to the Public Safety & Regulatory Services Committee (Bringing the Code into compliance with State Statutes regarding tobacco regulation and enforcement).

Thurber moved that the proper City officers be authorized to enter into a data-sharing agreement with Hennepin County relating to property-related data which is maintained by the County and needed by the City. Seconded.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Cherryhomes moved to approve the application of Greg Finstad, on behalf of the City of Minneapolis/Department of Transportation, for a waiver from Interim Ordinance No. 96-Or-070 (passed 7/12/96, as amended), providing for a moratorium on the establishment or expansion of surface parking lots in the Downtown Surface Parking Study

Area, notwithstanding the Zoning Code, to operate an interim parking lot at the old Greyhound Bus Terminal at 29 N 9th St from 12/1/98 to 3/1/99. Seconded.

Adopted. Yeas, 10; Nays none.

Absent – Herron, Campbell, Colvin Roy.

Passed December 4, 1998.

Approved December 10, 1998. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION

Mead offered a resolution discouraging work-related travel by City of Minneapolis employees on flights to and from Minneapolis/St. Paul International Airport between the hours of 10:00 p.m. and 7:00 a.m., which was referred to the Transportation & Public Works Committee.

UNFINISHED BUSINESS

Rental Dwelling License at 1035 17th Av SE: Concur with recommendation of Rental Dwelling License Board of Appeals to revoke license held by Erik Johnson. (Postponed 10/16/98, PS&RS)

Septan Inc, 3948 Nicollet Av: Deny appeal for nonconforming use certificate to allow gas station and repair garage, grant appeal for variance. (Postponed 10/30/98, Z&P)

Special School District #1: Passage of Resolution vacating alley in block; Authorize summary publication. (Postponed 11/13/98, Z&P)

By unanimous consent, the above-postponed items were continued to be postponed.

NEW BUSINESS

McDonald offered an Ordinance amending Title 14, Chapter 363 of the Minneapolis Code of Ordinances relating to *Liquor and Beer: Wine Licenses*, which was given its first reading and referred to the Public Safety & Regulatory Services Committee (Deleting subdivision relating to a parking requirement if an establishment is a new use).

Biernat offered an Ordinance amending Title 14, Chapter 360 of the Minneapolis Code of Ordinances relating to *Liquor and Beer: In General*, which was given its first reading and referred to the Public Safety & Regulatory Services Committee (Adding subdivision (7) relating to special late hours entertainment license).

Mead offered an Ordinance amending Title 17, Chapter 477 of the Minneapolis Code of Ordinances relating to *Streets and Sidewalks: Parades/Races*, which was given its first reading and referred to the Transportation & Public Works Committee (Requiring applications to be submitted 60 days or more before event, including parades in insurance and bond requirement).

By unanimous consent, the City Council meeting was adjourned to an adjourned session to be held December 7, 1998, at 5:05 p.m. for the purpose of conducting a Truth in Taxation and Consolidated Plan public hearing.

Merry Keefe,
City Clerk.
98-10533